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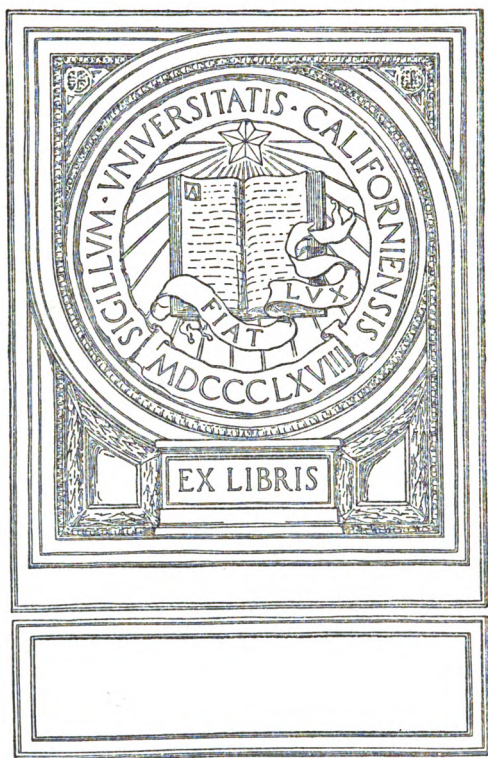
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*Ben*









# THE YEAR

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THE  
HISTORY  
OF  
THE WAR,

BETWEEN THE  
UNITED STATES AND GREAT-BRITAIN,

WHICH COMMENCED IN JUNE, 1812, AND CLOSED IN FEBRUARY, 1815;

CONTAINING  
THE CORRESPONDENCE WHICH PASSED BETWEEN THE TWO GOVERNMENTS,  
IMMEDIATELY PRECEDING, AND SINCE HOSTILITIES COMMENCED; THE  
DECLARATION OF WAR, AND THE OFFICIAL REPORTS OF LAND  
AND NAVAL ENGAGEMENTS.

COMPILED CHIEFLY FROM  
PUBLIC DOCUMENTS.

WITH AN  
*Appendix,*

CONTAINING  
THE CORRESPONDENCE WHICH PASSED BETWEEN OUR COMMISSIONERS,  
AND THOSE APPOINTED BY GREAT-BRITAIN IN TREATING FOR PEACE.

TO WHICH IS ADDED,  
THE TREATY OF PEACE,  
AND A LIST OF VESSELS TAKEN FROM GREAT-BRITAIN  
DURING THE WAR.

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COMPILED  
By J. RUSSELL, Jr.

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Second Edition.

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HARTFORD:

PRINTED AND PUBLISHED BY B. & J. RUSSELL,

State-Street.

1815.



District of Connecticut, ss.

~~Amunx~~ BE IT REMEMBERED, That on the tenth day of July,  
{ L.S. } in the Fortieth year of the Independence of the United States  
~~Amunx~~ of America, B. & J. Russell, of the said District, deposited  
in this office the title of a Book, the right whereof they claim as Proprietors,  
in the words following, to wit.

' The History of the War between the United States and Great Britain,  
' which commenced in June, 1812. and closed in Feb. 1815, containing the  
' correspondence which passed between the two Governments immediately  
' preceding and since hostilities commenced; the declaration of War and  
' the official reports of land and naval engagements, compiled chiefly from  
' public documents. With an appendix containing the correspondence  
' which passed between our Commissioners and those appointed by Great-  
' Britain in treating for peace. To which is added the Treaty of Peace,  
' and a list of vessels taken from Great Britain during the war. Compiled  
' by J. RUSSELL, Jr.'

In conformity to the Act of the Congress of the United States, entitled "An  
" act for the encouragement of learning, by securing the copies of Maps,  
" Charts, and Books, to the authors and proprietors of such copies, during  
" the times therein mentioned."

HENRY W. EDWARDS,  
Clerk of the District of Connecticut.

A true copy of Record. examined and sealed by me,

H. W. Edwards,

Clerk of the District of Connecticut.

TO THE  
ALBANY

## INTRODUCTION.

An history of recent transactions, must always be executed under many, and great disadvantages.

In a time of war, many important occurrences are but imperfectly known, till the truth is elicited by legal investigation ; and, in addition to this, the feelings of men are so ardent, that an author cannot be expected to be wholly impartial, when recounting those events, in which himself, or his friends, have acted a conspicuous part.

The publishers were, therefore, of opinion, that at the present time, the most useful History of the War, would be a faithful collection of Official State Papers, and accounts of Military operations. Such a work cannot be taxed with partiality ; and, it is presumed, will be perused with interest by every American, who values his national rights, and whose bosom glows, at the recital of those deeds of valor, which have exalted the honor of his country.

If in some instances, Commanding Officers have *seemed* to manifest a want of candour, it ought still to be remembered by the public, that they wrote in the heat of the occasion ; and, often, while agonizing under wounds received from an exasperated enemy. Modern Histories of Campaigns, are not, to say the least, more candid, and are, surely, less entitled to apology. This collection of Documents can never become a useless volume ; for, besides furnishing the best evidence of fact to the inquisitive reader, and future historian, it is a ready manuel, by which every enquirer after truth, can at once adduce the best evidence on questions which affect the character of the American nation, relative to her military prowess. Our readers will feel satisfied, after its perusal, that they possess all the Official information, which can be obtained, relative to the military movements, and bravery and skill of our countrymen in the field of battle. Perhaps, in some instances, the losses and sufferings of the armies of both nations, have not been fully ascertained ; so wide is the field, that it is some-



what difficult to collect all the facts. On the water, where we have been peculiarly successful, the official accounts more fully and explicitly state the loss, as well as the comparative skill and bravery of the contending parties.

In the list of public and private vessels taken from the enemy during the war, we have not given the whole number of men and guns, on board of a large proportion of the merchant vessels, as it was never officially stated. In every instance of this kind, where we could not obtain correct information, we have left the number blank. We are sorry to say it is wholly out of our power to accompany the list of prizes with a correct list of the vessels we have lost; the enemy never having made a public statement of their prizes, we could not collect them from any authentic source.

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# HISTORY OF THE WAR.

## CHAPTER I.

### PRESIDENT'S MESSAGE.

WASHINGTON CITY, NOVEMBER 5, 1811.

*Fellow-Citizens of the Senate, and of  
the House of Representatives.*

IN calling you together sooner than a separation from your homes would otherwise have been required, I yielded to considerations drawn from the posture of our foreign affairs ; and in fixing the present for the time of your meeting, regard was had to the probability of further developments of the policy of the belligerent powers towards this country, which might the more unite the national councils, in the measures to be pursued.

At the close of the last session of Congress, it was hoped that the successive confirmations of the extinction of the French Decrees, so far as they violated our neutral commerce, would have induced the government of Great-Britain to repeal its Orders in Council ; and thereby authorize a removal of the existing obstructions to her commerce with the United States.

Instead of this reasonable step towards satisfaction and friendship between the two nations, the Orders were at a moment when least to have been expected, put into more vigorous execution ; and it was communicated through the British Envoy, just arrived, that whilst the revocation of the Edicts of France, as officially made known to the British government, was denied to have taken place ; it was an



indispensable condition of the repeal of the British Orders, that commerce should be restored to a footing, that would admit the productions and manufactures of Great-Britain, when owned by neutrals, into markets shut against them by her enemy; the United States being given to understand that, in the mean time, a continuance of their non-importation act would lead to measures of retaliation.

At a later date, it has indeed appeared, that a communication to the British government, of fresh evidence of the repeal of the French Decrees against our neutral trade, was followed by an intimation, that it had been transmitted to the British Plenipotentiary here; in order that it might receive full consideration in the depending discussions. This communication appears not to have been received; but the transmission of it hither, instead of founding on it an actual repeal of the Orders, or assurances that the repeal would ensue, will not permit us to rely on any effective change in the British cabinet. To be ready to meet with cordiality satisfactory proofs of such a change, and to proceed, in the mean time, in adapting our measures to the views which have been disclosed through that minister, will best consult our whole duty.

In the unfriendly spirit of those disclosures, indemnity and redress for other wrongs have continued to be withheld, and our coasts and the mouths of our harbors have again witnessed scenes, not less derogatory to the dearest of our national rights, than vexatious to the regular course of our trade.

Among the occurrences produced by the conduct of British ships of war hovering on our coasts, was an encounter between one of them and the American frigate commanded by Captain Rogers, rendered unavoidable on the part of the latter, by a fire commenced without cause by the former; whose commander is therefore, alone chargeable with the blood unfortunately shed in maintaining the honor of the American flag. The proceedings of a court of enquiry, requested by Captain Rogers, are communicated; together with the correspondence relating to the occurrence between the Secretary of State, and his Britannic majesty's Envoy. To these are added, the several correspondences which have passed on the subject of the British Orders in Council; and to both the correspondence relating to the

Floridas, in which Congress will be made acquainted with the interposition which the government of Great-Britain has thought proper to make against the proceedings of the United States.

The justice, and fairness which have been evinced on the part of the United States towards France, both before and since the revocation of her Decrees, authorised an expectation that her government would have followed up that measure by all such others as were due to our reasonable claims as well as dictated by its amicable professions. No proof, however, is yet given of an intention to repair the other wrongs done to the United States : and particularly to restore the great amount of American property seized and condemned under Edicts, which, though not affecting our neutral relations, and therefore, not entering into questions between the United States and other belligerents, were nevertheless founded in such unjust principles, that the reparation ought to have been prompt and ample.

In addition to this, and other demands of strict right, on that nation, the United States have much reason to be dissatisfied with the rigorous and unexpected restrictions, to which their trade with the French dominions has been subjected : and which, if not discontinued, will require at least corresponding restrictions on importations from France into the United States.

On all those subjects our Minister Plenipotentiary, lately sent to Paris, has carried with him the necessary instructions ; the result of which will be communicated to you, and by ascertaining the ulterior policy of the French government towards the United States, will enable you to adapt to it that of the United States towards France.

Our other foreign relations remain without unfavorable changes. With Russia they are on the best footing of friendship. The ports of Sweden have afforded proofs of friendly dispositions towards our commerce, in the councils of that nation also. And the information from our special Minister to Denmark, shews that the mission had been attended with valuable effects to our citizens, whose property had been so extensively violated and endangered by cruisers under the Danish flag.

Under the ominous indications which commanded attention, it became a duty, to exert the means committed to the Executive Department, in providing for the general security. The works of defence on our maritime frontier have accordingly been prosecuted, with an activity leaving little to be added for the completion of the most important ones ; and as particularly suited for co-operation in emergencies, a portion of the Gun-Boats, have, in particular harbors, been ordered into use. The ships of war before in commission, with the addition of a frigate, have been chiefly employed, as a cruising guard to the rights of our coast. And such a disposition has been made of our land forces, as was thought to promise the services most appropriate and important. In this disposition is included a force, consisting of regulars and militia, embodied in the Indiana Territory, and marched towards our North-Western frontier.—This measure was made requisite by several murders and depredations committed by Indians ; but more especially by the menacing preparations and aspect of a combination of them on the Wabash under the influence and direction of a fanatic of the Shawanese tribe. With these exceptions, the Indian tribes retain their peaceable dispositions towards us, and their usual pursuits.

I must now add, that the period is arrived which claims from the Legislative Guardians of the national rights a system of more ample provisions for maintaining them. Notwithstanding the scrupulous justice, the protracted moderation, and the multiplied efforts on the part of the United States, to substitute for the accumulating dangers to the peace of the two countries, all the mutual advantages of re-established friendship and confidence ; we have seen that the British Cabinet perseveres not only in withholding a remedy for other wrongs so long and so loudly calling for it ; but in the execution brought home to the threshold of our territory, of measures which under existing circumstances, have the character, as well as the effect of war on our lawful commerce.

With this evidence of hostile inflexibility, in trampling on rights which no independent nation can relinquish, Congress will feel the duty of putting the United States into an armor, and an attitude demanded by the crisis, and corresponding with the national spirit and expectations.

I recommend accordingly, that adequate provision be made for filling the ranks and prolonging the enlistments, of the regular troops : for an auxiliary force, to be engaged for a more limited term ; for the acceptance of volunteer corps, whose patriotic ardor may court a participation in urgent services ; for detachments, as they may be wanted, of other portions of the militia ; and for such a preparation of the great body, as will proportion its usefulness to its intrinsic capacities. Nor can the occasion fail to remind you of the importance of these military Seminaries, which, in every event, will form a valuable and frugal part of our military establishment.

The manufacture of cannon and small arms has proceeded with due success, and the stock and resources of all the necessary munitions are adequate to emergencies. It will not be inexpedient, however, for Congress to authorize an enlargement of them.

Your attention will of course be drawn to such provisions, on the subject of our naval force, as may be required for the services to which it may be best adapted. I submit to Congress the seasonableness also, of an authority to augment the stock of such materials, as are imperishable in their nature, or may not at once be attainable.

In contemplating the scenes which distinguish this momentous epoch, and estimating their claims to our attention, it is impossible to overlook those developing themselves among the great communities which occupy the southern portion of our own hemisphere, and extend into our neighborhood. An enlarged philanthropy, and an enlightened forecast, concur in imposing on the National Councils an obligation to take a deep interest in their destinies : to cherish reciprocal sentiments of good will ; to regard the progress of events ; and not to be unprepared for whatever order of things may be ultimately established.

Under another aspect of our situation, the early attention of Congress will be due to the expediency of further guards against evasions and infractions of our commercial laws. The practice of smuggling, which is odious every where, and particularly criminal in free governments, where the laws being made by all, for the good of all, a fraud is committed on every individual as well as on the state, attains its utmost guilt, when it blends, with a pur-

suit of ignominious gain, a treacherous subserviency in the transgressors, to a foreign policy, adverse to that of their own country. It is then that the virtuous indignation of the public should be enabled to manifest itself, through the regular animadversions of the most competent laws.

To secure greater respect to our mercantile flag, and to the honest interest which it covers, it is expedient also, that it be made punishable in our citizens, to accept licences from foreign governments, for a trade unlawfully interdicted by them to other American citizens; or to trade under false colors or papers of any sort.

A prohibition is equally called for, against the acceptance, by our citizens of special licences, to be used in a trade with the United States; and against the admission into particular ports of the United States, of vessels from foreign countries, authorised to trade with particular ports only.

Although other subjects will press more immediately on your deliberations, a portion of them cannot but be well bestowed, on the just and sound policy of securing to our manufactures the success they have attained, and are still attaining, in some degree, under the impulse of causes not permanent; and to our navigation, the fair extent of which it is at present abridged by the unequal regulations of foreign governments.

Besides the reasonableness of striving our manufactures from sacrifices which a change of circumstances might bring on them, the national interest requires, that, with respect to such articles at least as belong to our defence, and our primary wants, we should not be left in unnecessary dependence on external supplies. And whilst foreign governments adhere to the existing discriminations in their ports against our navigation, and an equality or lesser discrimination is enjoyed by their navigation in our ports, the effect cannot be mistaken, because it has been seriously felt by our shipping interests; and in proportion as this takes place, the advantages of an independent conveyance of our products to foreign markets, and of a growing body of mariners, trained by their occupations for the service of their country in times of danger, must be diminished.



The receipts into the Treasury, during the year, ending on the thirtieth of September last, have exceeded thirteen millions and a half of dollars, and have enabled us to defray the current expenses, including the interest on the public debt, and to reimburse more than five millions of dollars of the principal, without recurring to the loan authorized by the act of the last session. The temporary loan obtained in the latter end of the year one thousand eight hundred and ten, has also been reimbursed, and is not included in that amount.

The decrease of revenue, arising from the situation of our commerce and the extraordinary expences which have and may become necessary, must be taken into view, in making commensurate provisions for the ensuing year. And I recommend to your consideration the propriety of ensuring a sufficiency of annual revenue, at least to defray the ordinary expences of government, and to pay the interest on the public debt, including that on new loans which may be authorized.

I cannot close this communication without expressing my deep sense of the crisis in which you are assembled; my confidence in a wise and honorable result to your deliberations, and assurances of the faithful zeal with which my co-operating duties will be discharged; invoking at the same time, the blessing of heaven on our beloved country, and on all the means, that may be employed in vindicating its rights, and advancing its welfare.

(Signed)

JAMES MADISON.

### OFFICIAL CORRESPONDENCE,

REFERRED TO IN THE PRECEDING MESSAGE.

*Mr. Foster to Mr. Monroe.*

WASHINGTON, July 3, 1811.

SIR —I have had the honor of stating to you verbally the system of defence to which his majesty has been compelled to resort for the purpose of protecting the maritime rights and interests of his dominions against the new description of warfare that has been adopted by his enemies. I have presented to you the grounds upon which his majesty finds himself still obliged to continue that system, and I conceive that I shall best meet your wishes as expressed to me this morning, if in a more formal shape I should lay before you

the whole extent of the question, as it appears to his majesty's government to exist between Great-Britain and America.

I beg leave to call your attention, sir, to the principles on which his majesty's Orders in Council were originally founded. The Decree of Berlin was directly and expressly an act of war, by which France prohibited all nations from trade or intercourse with Great-Britain under peril of confiscation of their ships and merchandize ; although France had not the means of imposing an actual blockade in any degree adequate to such a purpose. The immediate and professed object of this hostile Decree was the destruction of all British commerce through means entirely unsanctioned by the law of nations, and unauthorised by any received doctrine of legitimate blockade.

This violation of the established law of civilized nations in war, would have justified Great-Britain in retaliating upon the enemy by a similar interdiction of all commerce with France, and with such other countries as might co-operate with France in her system of commercial hostility against Great-Britain.

The object of Great-Britain was not, however, the destruction of trade, but its preservation under such regulations as might be compatible with her own security, at the same time that she extended an indulgence to foreign commerce, which strict principles would have entitled her to withhold. The retaliation of Great-Britain was not therefore urged to the full extent of her right ; our prohibition of French trade was not absolute, but modified ; and in return for the absolute prohibition of all trade with Great-Britain, we prohibited not all commerce with France, but all such commerce with France as should not be carried on through Great-Britain.

It was evident that this system must prove prejudicial to neutral nations ; this calamity was foreseen, and deeply regretted. But the injury to the neutral nation arose from the aggression of France, which had compelled Great-Britain in her own defence to resort to adequate retaliatory measures of war. The operation on the American commerce of those precautions, which the conduct of France had rendered indispensable to our security, is therefore to be ascribed to the unwarrantable aggression of France, and

not to those proceedings on the part of Great-Britain, which that aggression had rendered necessary and just.

The object of our system was merely to counteract an attempt to crush the British trade ; Great-Britain endeavored to permit the continent to receive as large a portion of commerce as might be practicable, through Great-Britain ; and all her subsequent regulations, and every modification of her system by new orders or modes of granting or withholding licences, have been calculated for the purpose of encouraging the trade of neutrals through Great-Britain, whenever such encouragement might appear advantageous to the general interests of commerce, and consistent with the public safety of the nation. The justification of his majesty's Orders in Council, and the continuance of that defence, have always been rested upon the existence of the Decrees of Berlin and Milan, and on the perseverance of the enemy in the system of hostility, which has subverted the rights of neutral commerce on the continent ; and it has always been declared on the part of his majesty's government, that whenever France should have effectually repealed the Decrees of Berlin and Milan, and should have restored neutral commerce to the condition in which it stood previously to the promulgation of those Decrees, we should immediately repeal our Orders in Council.

France has asserted that the Decree of Berlin was a measure of just retaliation on her part, occasioned by our previous aggression ; and the French government has insisted that our system of blockade, as it existed previously to the Decree of Berlin, was a manifest violation of the received law of nations ; we must therefore, sir, refer to the articles of the Berlin Decree, to find the principles of our system of blockade, which France considers to be new, and contrary to the law of nations.

By the 4th and 8th articles it is stated as a justification of the French Decree, that Great-Britain ' extends to unfortified towns and commercial ports, to harbors, and to the mouths of rivers, those rights of blockade, which by the reason and the usage of nations, are applicable only to fortified places ; and that the rights of blockade ought to be limited to fortresses really invested by a sufficient force.

It is added in the same articles that Great-Britain ' has declared places to be in a state of blockade, before which

she has not a single ship of war, and even places which the whole British force would be insufficient to blockade; entire coasts, and a whole empire.'

Neither the practice of Great-Britain, nor the law of nations, has ever sanctioned the rule now laid down by France, that no place excepting fortresses in a complete state of investiture, can be deemed lawfully blockaded by sea.

If such a rule were to be admitted, it would become nearly impracticable for Great-Britain to attempt the blockade of any port of the continent, and our submission to this perversion of the law of nations, while it would destroy one of the principal advantages of our naval superiority, would sacrifice the common rights and interests of all maritime states.

It was evident that the blockade of May, 1806, was the principal pretended justification of the Decree of Berlin, though neither the principles on which that blockade was founded, nor its practical operation, afforded any color for the proceedings of France.

In point of date, the blockade of May, 1806, preceded the Berlin Decree; but it was a just and legal blockade according to the established law of nations, because it was intended to be maintained, and was actually maintained by an adequate force appointed to guard the whole coast described in the notification, and consequently to enforce the blockade.

Great-Britain has never attempted to dispute, that in the ordinary course of the law of nations, no blockade can be justifiable or valid unless it be supported by an adequate force destined to maintain it, and to expose to hazard all vessels attempting to evade its operation. The blockade of May, 1806, was notified by Mr. Secretary Fox, on this clear principle, nor was that blockade announced until he had satisfied himself by a communication with his majesty's Board of Admiralty, that the Admiralty possessed the means and would employ them, of watching the whole coast from Brest to the Elbe, and of effectually enforcing the blockade.

The blockade of May, 1806, was therefore (according to the doctrine maintained by Great-Britain) just and lawful in its origin, because it was supported by both in inten-

tion and fact by an adequate naval force. This was the justification of that blockade, until the period of time when the Orders in Council were issued.

The Orders in Council were founded on a distinct principle, that of defensive retaliation. France had declared a blockade of all the ports and coasts of Great-Britain, and her dependencies, without assigning, or being able to assign, any force to support that blockade. Such an act of the enemy would have justified a declaration of the blockade of the whole coast of France, even without the application of any particular force to that service. Since the promulgation of the Orders in Council, the blockade of May, 1806, has been sustained and extended by the more comprehensive system of defensive retaliation on which those regulations are founded. But if the Orders in Council should be abrogated, the blockade of May, 1806, could not continue under our construction of the law of nations, unless that blockade should be maintained by a due application of an adequate naval force.

America appears to concur with France in asserting that Great-Britain was the original aggressor in the attack on neutral rights, and has particularly objected to the blockade of May, 1806, as an obvious instance of that aggression on the part of Great-Britain.

Although the doctrines of the Berlin Decree, respecting the rights of blockade, are not directly asserted by the American government, Mr. Pinckney's correspondence would appear to countenance the principles on which those doctrines are founded. The objection directly stated by America against the blockade of May, 1806, rests on a supposition that no naval force which Great-Britain possessed, or could have employed for such a purpose, could have rendered that blockade effectual, and that therefore it was necessarily irregular, and could not possibly be maintained in conformity to the law of nations.

Reviewing the course of this statement, it will appear that the blockade of May, 1806, cannot be deemed contrary to the law of nations, either under the objections urged by the French, or under those declared or insinuated by the American government, because that blockade was maintained by a sufficient naval force; that the Decree of Berlin was not therefore justified either under the pretext alledged by



France, or under those supported by America; that the Orders in Council were founded on a just principle of defensive retaliation against the violation of the law of nations committed by France in the Decree of Berlin; that the blockade of May, 1806, is now included in the more extensive operation of the Orders in Council; and lastly, that the Orders in Council will not be continued beyond the effectual duration of the hostile decrees of France; nor will the blockade of May, 1806, continue after the repeal of the Orders in Council, unless his majesty's government shall think fit to sustain it by the special application of a sufficient naval force. This fact will not be suffered to remain in doubt, and if the repeal of the Orders in Council should take place, the intention of his majesty's government respecting the blockade of May, 1806, will be notified at the same time.

I need not recapitulate to you the sentiments of his majesty's government, so often repeated, on the subject of the French Minister's note to General Armstrong, dated the 6th of last August. The studied ambiguity of that note has since been amply explained by the conduct and language of the government of France, of which one of the most remarkable instances is to be found in the speech of the chief of the French government on the 17th of last month to certain deputies from the free cities of Hamburg, Bremen, and Lubeck, wherein he declares that the Berlin and Milan Decrees shall be the public code of France as long as England maintains her Orders in Council of 1806, and 1807. Thus pronouncing as plainly as language will admit, that the system of violence and injustice of which he is the founder, will be maintained by him until the defensive measures of retaliation to which they gave rise on the part of Great-Britain shall be abandoned.

If other proofs were necessary to show the continued existence of those obnoxious Decrees, they may be discovered in the Imperial Edict dated at Fontainebleau, October 19, 1810; that monstrous production of violence, in which they are made the basis of a system of general and unexampled tyranny and oppression over all countries subject to, allied with, or within the reach of the power of France; in the report of the French minister for foreign affairs dated last December, and in the letter of the French minister of justice to the president of the council of prizes. To this

latter, sir, I would wish particularly to invite your attention ; the date is the 25th December, the authority it comes from most unquestionable, and you will there find, sir, the Duke of Massa, in giving his instructions to the council of prizes in consequence of the President of the United States' proclamation of November 3, most cautiously avoiding to assert that the French Decrees were repealed, and ascribing not to such repeal, but to the ambiguous passage which he quotes at length from M. Champagny's letter of August 5, the new attitude taken by America ; and you will also find an evidence in the same letter of the continued capture of American ships after November, and under the Berlin and Milan Decrees, having been contemplated by the French government, since there is a special direction given for judgment on such ships being suspended in consequence of the American proclamation, and for their being kept as pledges for its enforcement.

Can then, sir, these Decrees be said to have been repealed at the period when the proclamation of the President of the United States appeared, or when America enforced her non-importation act against Great-Britain ? Are they so at this moment ? To the first question, the state papers which I have referred to, appear to give a sufficient answer. For even supposing that the repeal has since taken place, it is clear that on November 3, there was no question as to that not being then the case ; the capture of the ship *New-Orleans Packet* seized at Bordeaux, and the *Grace-Ann-Green*, seized at or carried into Marseilles, being cases arising under the French Decrees of Berlin and Milan, as is very evident. Great-Britain might therefore complain of being treated with injustice by America, even supposing that the conduct of France had since been unequivocal.

America contends that the French Decrees are revoked as it respects her ships upon the high seas, and you, sir, inform me, that the only two American ships taken under their maritime operation, as you are pleased to term it, since November 1, have been restored ; but may not they have been restored in consequence of the satisfaction felt in France at the passing of the non-importation act in the American Congress, an event so little to be expected ; for otherwise, having been captured in direct contradiction to the revocation, why were they not restored immediately ?

The fears, of the French navy, however, prevent many cases of the kind occurring on the ocean under the Decrees of Berlin and Milan ; but the most obnoxious and destructive parts of those Decrees are exercised with full violence not only in the ports of France, but in those of all other countries to which France thinks she can commit injustice with impunity.

Great-Britain has a right to complain that neutral nations should overlook the very worst features of these extraordinary acts, and should suffer their trade to be made a medium of an unprecedented, violent, and monstrous system of attack upon her resources ; a species of warfare unattempted by any civilized nation before the present period. Not only has America suffered her trade to be moulded into the means of annoyance to Great-Britain under the provisions of the French Decrees, but as construing those Decrees as extinct, upon a deceitful declaration of the French Cabinet, she has enforced her non-importation act against Great-Britain.

Under these circumstances, I am instructed by my government, to urge to that of the United States, the injustice of thus enforcing that act against his majesty's dominions, and I cannot but hope that a spirit of justice will induce the United States' government to re-consider the line of conduct they have pursued, and at least to re-establish their former state of strict neutrality.

I have only to add, sir, that, on my part, I shall ever be ready to meet you on any opening which may seem to afford a prospect of restoring complete harmony between the two countries, and that it will at all times give me the greatest satisfaction to treat with you on the important concerns so interesting to both.

I have the honor to be, &c.

AUGUSTUS J. FOSTER.

*Mr. Foster to Mr. Monroe.*

WASHINGTON, July 11, 1811.

SIR—In consequence of our conversation of yesterday, and the observations which you made respecting that part of my letter to you of the 3d inst. wherein I have alluded to the principle on which his majesty's Orders in Council were originally founded, I think it right to explain myself, in or-

der to prevent any possible mistake as to the present situation of neutral trade with his majesty's enemies.

It will only be necessary for me to repeat what has already, long since, been announced to the American government, namely, that his majesty's Order in Council of April 26, 1809, superceded those of November, 1807, and relived the system of retaliation adopted by his majesty against his enemies from what was considered in this country as the most objectionable part of it; the option given to neutrals to trade with the enemies of Great-Britain, through British ports, on payment of a transit duty.

This explanation, sir, will, I trust, be sufficient to do away any impression that you may have received to the contrary from my observations respecting the effects which his majesty's Orders in Council originally had on trade of neutral nations. Those observations were merely meant as preliminary to a consideration of the question now at issue between the two countries.

I have the honor to be, with the highest consideration and respect, sir, your most obedient humble servant,

AUGUSTUS J. FOSTER.

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*Mr. Foster to Mr. Monroe.*

WASHINGTON, July 14, 1811.

SIR—His majesty's packet boat having been so long detained, and a fortnight having elapsed since my arrival at this capitol, his royal highness, the prince regent will necessarily expect that I should have to transmit to his royal highness some official communication as to the line of conduct the American government mean to pursue. I trust you will excuse me therefore, sir, if without pressing for a detailed answer to my note of the 3d inst. I anxiously desire to know from you what is the President's determination with respect to suspending the operation of the late Act of Congress prohibiting all importation from the British dominions.

There have been repeated avowals lately made by the government of France, that the Decrees of Berlin and Milan were still in full force, and the acts of that government have corresponded with those avowals.

The measures of retaliation pursued by Great-Britain against those Decrees are consequently to the great regret of his royal highness still necessarily continued.

I have had the honor to state to you the light in which his royal highness, the prince regent viewed the Proclamation of the President of last November, and the surprise with which he learnt the subsequent measures of Congress against the British trade.

American ships siezed under his majesty's Orders in Council even after that Proclamation appeared, were not immediately condemned, because it was believed that the insidious professions of France might have led the American government, and the merchants of America into an eroneous construction of the intentions of France.

But when the veil was thrown aside, and the French ruler himself avowed the continued existence of his invariable system, it was not expected by his royal highness that America would have refused to retrace the steps she had taken.

Fresh proofs have since occurred of the resolution of the French government to cast away all consideration of the rights of nations in the unprecedented warfare they have adopted.

America however still persists in her injurious measures against the commerce of Great-Britain, and his royal highness has in consequence been obliged to look to means of retaliation against those measures which his royal highness cannot but consider as most unjustifiable.

How desirable would it not be, sir, if a stop could be put to any material progress in such a system of retaliation, which, from step to step may lead to the most unfriendly situation between the two countries?

His majesty's government will necessarily be guided in a great degree by the contents of my first despatches as to the conduct they must adopt towards America.

Allow me then, sir, to repeat my request to learn from you whether I may not convey what I know would be most grateful to his royal highness' feelings, namely, the hope that he may be enabled, by the speedy return of America from her unfriendly attitude towards Great-Britain, to forget altogether that he ever was obliged to have any other object in view besides that of endeavoring to promote the best understanding possible between the two countries.

I have the honor to be, with the highest consideration, sir, your most obedient humble servant,

AUGUSTUS J. FOSTER.

*Mr. Foster to Mr. Monroe.*

WASHINGTON, July 16, 1811.

SIR—I had the honor to receive the letter which you addressed to me under yesterday's date, requesting an explanation from me, in consequence of my letters of the 3d and 14th inst. of the precise extent in which a repeal of the French Decrees is by his majesty's government, made a condition of the repeal of the British Orders, and particularly whether the condition embraces the seizure of vessels and merchandize entering French ports in contravention of French regulations, as well as the capture on the high seas, of neutral vessels and their cargoes, on the mere allegation that they are bound to or from British ports, or that they have on board British productions or manufactures; as also, stating that in your view of the French Decrees, they comprise regulations essentially different in their principles, some of them violating the neutral rights of the United States, others operating against Great-Britain without any such violation.

You will permit me, sir, for the purpose of answering your questions as clearly and concisely as possible, to bring into view the French Decrees themselves, together with the official declarations of the French minister which accompanied them.

In the body of those Decrees, and in the declarations alluded to, you will find, sir, express avowals that the principles on which they were founded, and provisions contained in them, are wholly new, unprecedented, and in direct contradiction to all ideas of justice and the principles and usages of all civilized nations. The French government did not pretend to say that any one of the regulations contained in those Decrees was a regulation which France had ever been in the previous practice of.

They were consequently to be considered, and were indeed allowed by France herself to be, all of them, parts of a new system of warfare, unauthorised by the established laws of nations.

It is in this light in which France herself has placed her Decrees, that Great-Britain is obliged to consider them.

The submission of neutrals to any regulations made by France, authorised by the laws of nations, and practised in former wars, will never be complained of by Great-Britain;



but the regulations of the Berlin and Milan Decrees do, and are declared to violate the laws of nations, and the rights of neutrals, for the purpose of attacking through them the resources of Great-Britain. The ruler of France has drawn no distinction between any of them, nor has he declared the cessation of any one of them in the speech which he so lately addressed to the deputation from the free Imperial Hanse Towns, which was on the contrary a confirmation of them all.

Not until the French Decrees therefore shall be effectually repealed, and thereby neutral commerce be restored to the situation in which it stood previously to their promulgation, can his royal highness conceive himself justified, consistently with what he owes to the safety and honor of Great-Britain, in foregoing the just measures of retaliation which his majesty in his defence was necessitated to adopt against them.

I trust, sir, that this explanation in answer to your enquiries will be considered by you sufficiently satisfactory; should you require any further, and which it may be in my power to give, I shall with the greatest cheerfulness afford it. I sincerely hope, however, that no further delay will be thought necessary by the President in restoring the relations of amity which should ever subsist between America and Great-Britain, as the delusions attempted by the government of France have now been made manifest, and the perfidious plans of its ruler exposed; by which, while he adds to, and aggravates his system of violence against neutral trade, he endeavors to throw all the odium of his acts upon Great-Britain with a view to engender discord between the neutral countries, and the only power which stands up as a bulwark against his efforts at universal tyranny and oppression.

Excuse me, sir, if I express my wish as early as possible to dispatch his majesty's packet boat with the result of our communications, as his majesty's government will necessarily be most anxious to hear from me. Any short period of time, however, which may appear to you to be reasonable, I will not hesitate to detain her.

I have the honor to be, &c.

AUGUSTUS J. FOSTER.

*Mr. Monroe to Mr. Foster.*

DEPARTMENT OF STATE, July 23d, 1811.

SIR—I have submitted to the President your several letters of the 3d and 16th of this month relative to the British Orders in Council and the blockade of May, 1806, and I have now the honor to communicate to you his sentiments on the view which you have presented of those measures of your government.

It was hoped that your communication would have led to an immediate accommodation of the differences subsisting between our countries, on the ground on which alone it is possible to meet you. It is regretted that you have confined yourself to a vindication of the measures which produced some of them.

The United States are as little disposed now, as heretofore, to enter into the question concerning the priority of aggression by the two belligerents, which could not be justified by either, by the priority of those of the other. But as you bring forward that plea in support of the Orders in Council, I must be permitted to remark that you have yourself furnished a conclusive answer to it, by admitting that the blockade of May 1806, which was prior to the first of the French Decrees, would not be legal, unless supported through the whole extent of the coast, from the Elbe to Brest, by an adequate naval force. That such a naval force was actually applied and continued in the requisite strictness until that blockade was comprised in and superceded by the Orders of November of the following year, or even until the French Decree of the same year, will not, I presume, be alleged.

But waving this question of priority, can it be seen without both surprise and regret, that it is still contended, that the Orders in Council are justified by the principle of retaliation, and that this principle is strengthened by the inability of France to enforce her Decrees. A retaliation is, in its name, and its essential character, a returning like for like. Is the deadly blow of the Orders in Council against one half of our commerce, a return of like for like to an empty threat in the French Decrees, against the other half? It may be a vindictive hostility, as far as its effects fall on the enemy. But when falling on a neutral, who on no pretext can be liable for more than the measure of inju-

ry received through such neutral, it would not be a retaliation, but a positive wrong, by the plea on which it is founded.

It is to be further remarked that the Orders in Council went even beyond the plea, such as this has appeared to be, in extending its operation against the trade of the United States, with nations which, like Russia, had not adopted the French Decrees, and with all nations which had merely excluded the British flag; an exclusion resulting as a matter of course with respect to whatever nation Great-Britain might happen to be at war.

I am far from viewing the modification originally contained in these Orders, which permits neutrals to prosecute their trade with the continent, through Great-Britain, in the favorable light in which you represent it. It is impossible to proceed to notice the effect of this modification without expressing our astonishment at the extravagance of the political pretension set up by it: a pretension which is utterly incompatible with the sovereignty and independence of other states. In a commercial view, it is not less objectionable, as it cannot fail to prove destructive to neutral commerce.

As an enemy, Great-Britain cannot trade with France. Nor does France permit a neutral to come into her ports from Great-Britain. The attempt of Great-Britain to force our trade through her ports, would have therefore the commercial effect of depriving the United States altogether of the market of her enemy for their productions, and of destroying their value in her market by a surcharge of it. Heretofore it has been the usage of belligerent nations to carry on their trade through the intervention of neutrals; and this had the beneficial effect of extending to the former the advantages of peace, while suffering under the calamities of war. To reverse the rule, and to extend to nations at peace, the calamities of war, is a change as novel and extraordinary as it is at variance with justice and public law.

Against this unjust system, the United States entered, at an early period, their solemn protest. They considered it their duty to evince to the world their high disapprobation of it, and they have done so by such acts as were deemed most consistent with the rights and policy of the nation. Remote from the contentious scene which desolates Europe, it has been their uniform object to avoid becoming a party to the war.—With this view they have endeavored to culti-

rate friendship with both parties, by a system of conduct which ought to have produced that effect. They have done justice to each party in every transaction in which they have been separately engaged with it. They have observed the impartiality which was due to both, as belligerents, standing on equal ground, having in no instance given a preference to either at the expense of the other. They have borne, too, with equal indulgence, injuries from both, being willing while it was possible, to impute them to casualties inseparable from a cause of war, and not to a deliberate intention to violate their rights; and even when that intention could not be mistaken, they have not lost sight of the ultimate object of their policy. In the measures to which they have been compelled to resort, they have in all respects maintained pacific relations with both parties. The alternative presented by their late acts, was offered equally to both, and could operate on neither, no longer than it should persevere in its aggressions on our neutral rights. The embargo and non-intercourse, were peaceful measures. The regulations which they imposed on our trade were such as any nation might adopt in peace or war, without offence to any other nation. The non-importation is of the same character, and if it makes a distinction at this time, in its operation between the belligerents, it necessarily results from a compliance of one with the offer made to both, and which is still open to the compliance of the other.

In the discussions which have taken place on the subject of the Orders in Council and blockade of May, 1806, the British government in conformity to the principle on which the Orders in Council are said to be founded, declared that they should cease to operate as soon as France revoked her Edicts. It was stated also, that the British government would proceed *pari passu*, with the government of France, in the revocation of her Edicts. I will proceed to shew that the obligation on Great-Britain to revoke her Orders is complete, according to her own engagements, and that the revocation ought not to be longer delayed.

By the act of May 1st, 1810, it is provided, 'That if either Great-Britain or France should cease to violate the neutral commerce of the United States, which fact the President should declare by proclamation, and the other party should not, within three months thereafter revoke or modify

its Edicts in like manner, that then certain sections in a former act interdicting the commercial intercourse between the United States and Great-Britain and France and their dependencies, should from and after the expiration of three months from the date of the proclamation, be revived and have full force against the former, its colonies and dependencies, and, against all articles the growth, produce, or manufacture of the same.

The violations of neutral commerce alluded to in this act, were such as were committed on the high seas. It was in the trade between the United States and the British dominions, that France had violated the neutral rights of the United States by her blockading Edicts. It was with the trade of France and her allies that Great-Britain had committed similar violations by similar Edicts. It was the revocation of those Edicts, so far as they committed such violations, which the United States had in view, when they passed the law of May 1st, 1810. On the 5th of August, 1810, the French minister of foreign affairs addressed a note to the minister plenipotentiary of the United States at Paris, informing him that the Decrees of Berlin and Milan were revoked; the revocation to take effect on the 1st of November following; that the measure had been taken by his government in confidence that the British government would revoke its Orders, and renounce its new principles of blockade, or that the United States would cause their rights to be respected, conformably to the act of May 1st, 1810.

This measure of the French government was founded on the law of May 1st, 1810, as is expressly declared in the letter of the Duke of Cadore announcing it. The Edicts of Great-Britain, the revocation of which were expected by France, were those alluded to in that act; and the means by which the United States should cause their rights to be respected, in case Great-Britain should not revoke her Edicts, were likewise to be found in the same act. They consisted merely in the enforcement of the non-importation act against Great-Britain, in that unexpected and improbable contingency.

The letter of the 5th of August, which announced the revocation of the French Decrees, was communicated to this government, in consequence of which the President issued

a proclamation on the 2d of November, the day after that on which the repeal of the French Decrees was to take effect in which he declared that all restrictions imposed by the act of May 1st, 1810, should cease and be discontinued in relation to France and her dependencies. It was a necessary consequence of this proclamation, also, that if Great-Britain did not revoke her Edicts, the non-importation would operate on her, at the end of three months. This actually took place. She declined the revocation, and on the 2d of February last, that law took effect. In confirmation of the proclamation, an act of Congress was passed on the 2d of March following.

Great-Britain still declines to revoke her Edicts, on the pretension that France has not revoked hers. Under that impression she infers that the United States have done her injustice by carrying into effect the non-importation against her.

The United States maintain that France has revoked her Edicts, so far as they violated their neutral rights, and were contemplated by the law of May 1st, 1810, and have on that ground particularly claimed and do expect of Great-Britain a similar revocation.

The revocation announced officially by the French minister of foreign affairs, to the minister plenipotentiary of the United States at Paris, on the 5th of August, 1810, was in itself sufficient to justify the claim of the United States to a correspondent measure from Great-Britain. She had declared that she would proceed *pari passu* in the repeal with France, and the day being fixed when the repeal of the French Decrees should take effect, it was reasonable to conclude that Great-Britain would fix the same day for the repeal of her Orders. Had this been done, the proclamation of the President would have announced the revocation of the Edicts of both powers at the same time, and in consequence thereof the non-importation would have gone into operation against neither.—Such, too, is the natural course of proceeding in transactions between independent states; and such the conduct which they generally observe towards each other. In all compacts between nations, it is the duty of each to perform what it stipulates, and to presume on the good faith of the other for a like performance. The United States having made a proposal to both belligerents were

bound to accept a compliance from either, and it was no objection to the French compliance, that it was in a form to take effect at a future day ; that being a form not unusual in other public acts ; even when nations are at war and make peace, this obligation of neutral confidence exists and is respected. In treaties of commerce, by which their future intercourse is to be governed, the obligation is the same.—If distrust and jealousy are allowed to prevail, the moral tie, which binds nations together in all their relations, in war, as well as in peace, is broken.

What would Great-Britain have hazarded by a prompt compliance in the manner suggested ? She had declared that she had adopted the restraints imposed by her Orders in Council with reluctance, because of their distressing effect on neutral powers. Here then was a favorable opportunity presented to her, to withdraw from that measure with honor, be the conduct of France, afterwards, what it might. Had Great-Britain revoked her Orders, and France failed to fulfil her engagement, she would have gained credit at the expense of France, and could have sustained no injury by it, because the failure of France to maintain her faith would have replaced Great-Britain at the point from which she had departed. To say that a disappointed reliance on the good faith of her enemy, would have reproached her foresight, would be to set a higher value on that quality, than on consistency and good faith, and would sacrifice to a mere suspicion towards an enemy, the plain obligations of justice towards a friendly power.

Great-Britain has declined proceeding *puri passu* with France in the revocation of their respective Edicts. She has held aloof, and claims of the United States, proof, not only that France has revoked her Decrees, but that she continues to act in conformity with the revocation.

To shew that the repeal is respected, it is deemed sufficient to state, that not one vessel has been condemned by French tribunals, on the principles of those Decrees, since the 1st of November last.—The New-Orleans packet from Gibraltar to Bordeaux, was detained but never condemned. The Grace-Arm-Green, from the same British port, to Marseilles, was likewise detained, but afterwards delivered up unconditionally to the owner, as was such part of the cargo of the New-Orleans packet as consisted of the produce of

the United States. Both these vessels proceeding from a British port, carried cargoes, some articles of which in each, were prohibited by the laws of France, or admissible by the sanction of the government alone. It does not appear that their detention was imputable to any other cause. If imputable to the circumstance of passing from a British to a French port, or on account of any part of their cargoes, it affords no cause of complaint in Great-Britain, as a violation of her neutral rights. No such cause would be afforded, even in a case of condemnation. The right of complaint, would have belonged to the United States.

In denying the revocation of the Decrees, so far as it is a proper subject of discussion between us, it might reasonably be expected that you would produce some examples of vessels taken at sea, in voyages to British ports, or on their return home, and condemned under them by a French tribunal. None such has been afforded by you. None such are known to this government.

You urge only as an evidence that the Decrees are not repealed, the speech of the Emperor of France to the deputies from the free cities of Hamburg, Bremen, and Lubeck; the Imperial Edict dated at Fontainebleau on the 19th of Oct. 1810; the report of the French minister of foreign affairs, dated in December last, and a letter of the minister of Justice to the President of the Council of prizes of the 25th of that month.

There is nothing in the first of these papers incompatible with the revocation of the Decrees, in respect to the United States. It is distinctly declared by the Emperor in his speech to the deputies of the Hanse Towns, that the blockade of the British Islands shall cease when the British blockades cease; and that the French blockade shall cease in favor of those nations in whose favor Great Britain revokes hers, or who support their rights against her pretension, as France admits the United States will do, by enforcing the non-importation act. The same sentiment is expressed in the report of the ministers of foreign affairs.—The Decree of Fontainebleau having no effect on the high seas, cannot be brought into this discussion. It evidently has no connection with neutral rights. The letter from the minister of justice, to the President of the Council of prizes, is of a different character. It relates in direct terms to this



subject but not in the sense in which you understand it. After reciting the note from the duke of Cadore of the 5th August last, to the American minister at Paris, which announced the repeal of the French Decrees, and the proclamation of the President in consequence of it, it states that all causes arising under those Decrees after the 1st of November, which were then before the court, or might afterwards be brought before it, should not be judged by the principles of the Decrees, but be suspended until the 2d February, when the United States having fulfilled their engagement, the captures should be declared void, and the vessels and their cargoes delivered up to their owners. This paper appears to afford an unequivocal evidence of the revocation of the Decrees, so far as relates to the United States. By instructing the French tribunal to make no decision till the 2d of February, and then to restore the property to the owners, on a particular event which has happened, all cause of doubt on that point seems to be removed. The United States may justly complain of delay in the restitution of the property, but that is an injury which effects them only. Great Britain has no right to complain of it. She was interested only in the revocation of the Decrees by which neutral rights would be secured from future violation; or if she had been interested in the delay it would have afforded no pretext for more than a delay in repealing her orders the 2d of February. From that day at farthest the French Decrees would cease. At the same day ought her Orders to have ceased. I might add to this statement, that every communication received from the French government, either through our representatives there, or its representatives here, are in accord with the actual repeal of the Berlin and Milan Decrees, in relation to the neutral commerce of the United States. But it will suffice to remark, that the best, and only adequate evidence of their ceasing to operate, is the defect of evidence that they do operate. It is a case where the want of proof against the fulfilment of a pledge is proof of the fulfilment. Every case occurring, to which if the Decrees were in force, they would be applied, and to which they are not applied, is a proof that they are not in force. And if these proofs have not been more multiplied, I need not remind you that a cause is to be found in the numerous captures under your Orders in Council, which con-

tinue to evince the rigour with which they are enforced, after a failure of the basis on which they are supposed to rest.

But Great-Britain contends, as appears by your last letters, that she ought not to revoke her Orders in Council, until the commerce of the continent is restored to the state in which it stood before the Berlin and Milan Decrees were issued ; until the French Decrees are repealed not only as to the United States, but so as to permit Great-Britain to trade with the continent. Is it then meant that Great-Britain should be allowed to trade with all the powers with whom she traded at that epoch? Since that time France has extended her conquests to the north, and raised enemies against Great-Britain, where she then had friends. Is it proposed to trade with them notwithstanding the change in their situation? Between the enemies of one state and those of another, no discrimination can be made. There is none in reason, nor can there be any of right, in practice. Or do you maintain the general principle and contend that Great-Britain ought to trade with France and her Allies? Between enemies there can be no commerce. The vessels of either taken by the other are liable to confiscation and are always confiscated. The number of enemies or extent of country which they occupy, cannot effect the question. The laws of war govern the relations which subsist between them, which especially in the circumstance under consideration are invariable. They were the same in times the most remote that they now are. Even if peace had taken place between Great-Britain and the powers of the continent she would not trade with them without their consent. Or does Great-Britain contend, that the United States, as a neutral power, ought to open the continent to her commerce, on such terms as she may designate? On what principle can she set up such a claim? No example of it can be found in the history of past wars, nor is it founded in any recognized principle of war, or in any semblance of reason or right. The United States could not maintain such a claim in their own favor, though neutral—when advanced in favor of an enemy, it would be the most preposterous and extravagant claim ever heard of. Every power when not restrained by treaty, has a right to regulate its trade with other nations, in such a manner as it finds it most consistent with its interest ; to admit, and on its own conditions, or to prohibit the

importation of such articles as are necessary to supply the wants, or encourage the industry of its people. In what light would Great-Britain view an application from the United States for the repeal of right of any act of her parliament, which prohibited the importation of any article from the United States, such as their fish, or their oil? Or which claimed the diminution of the duty on any other, such as their tobacco on which so great a revenue is raised? In what light would she view a similar application made at the instance of France, for the importation into England, of any article the growth or manufacture of that power which it was the policy of the British government to prohibit.

If delays have taken place in the restitution of American property, and in placing the American commerce in the ports of France on a fair and satisfactory basis, they involve questions, as has already been observed, in which the United States alone are interested. As they do not violate the revocation by France, of her Edicts, they cannot impair the obligation of Great-Britain to revoke hers; nor change the epoch at which the revocation ought to have taken place. Had that duly followed, it is more than probable that those circumstances, irrelative as they are, which have excited doubt in the British government of the practical revocation of the French Decrees, might not have occurred.

Every view which can be taken of this subject, increases the painful surprise at the innovations on all the principles and usages heretofore observed, which are so unreservedly contended for, in your letters, of the 3d and 16th inst. and which, if persisted in by your government, presents such an obstacle to the wishes of the United States, for a removal of the difficulties which have been connected with the Orders in Council. It is the interest of belligerents to mitigate the calamities of war, and neutral powers possess ample means to promote that object, provided they sustain with impartiality and firmness the dignity of their station. If belligerents expect advantage from neutrals, they should leave them in the full enjoyment of their rights. The present war, has been oppressive beyond example, by its duration, and by the desolation which it has spread throughout Europe. It is highly important that it should assume, at least, a milder character. By the revocation of the French Edicts, so far as they respected the neutral commerce of the United States,

some advance is made towards that most desirable and consoling result. Let Great-Britain follow the example. The ground thus gained will soon be enlarged by the concurring and pressing interest of all parties, and whatever is gained, will accrue to the advantage of afflicted humanity.

I proceed to notice another part of your letter of the 3d inst. which is viewed in a more favorable light. The President has received with great satisfaction the communication that should the Orders in Council of 1807, be revoked, the blockade of May, of the preceding year, would cease with them, and that any blockade which should afterwards be instituted, should be duly notified and maintained by an adequate force. This frank and explicit declaration, worthy of the prompt and amicable measure adopted by the prince regent in coming into power, seems to remove a material obstacle to an accommodation of differences between our countries, and when followed by the revocation of the Orders in Council, will, as I am authorised to inform you, produce an immediate termination of the non-importation law, by an exercise of the power vested in the President for that purpose.

I conclude with remarking, that if I have confined this letter to the subjects brought into view by yours, it is not because the United States have lost sight in any degree of the other very serious causes of complaint, on which they have received no satisfaction, but because the conciliatory policy of this government has thus far separated the case of the Orders in Council from others, and because with respect to these others, your communication has not afforded any reasonable prospect of resuming them, at this time, with success. It is presumed that the same liberal view of the true interests of Great-Britain, and friendly disposition towards the United States, which induced the prince regent to remove so material a difficulty as had arisen in relation to a repeal of the Orders in Council, will lead to a more favorable further consideration of the remaining difficulties on that subject, and that the advantages of an amicable adjustment of every question, depending between the two countries, will be seen by your government, in the same light, as they are by that of the United States.

I have the honor to be, &c.

JAMES MONROE.

*Mr. Foster to Mr. Monroe.*

WASHINGTON, July 26th, 1811.

SIR—I have had the honor to receive your letter of July 23d, in answer to mine of the 3d and 14th inst. which you will permit me to say were not merely relative to his majesty's Orders in Council, and the blockade of May 1806, but also to the President's proclamation of last November, and to the consequent act of Congress of March 2d, as well as to the just complaints which his royal highness, the prince regent, had commanded me to make to your government, with respect to the proclamation and to that act.

If the U. States' government had expected that I should have made communications which would have enabled them to come to an accommodation with Great-Britain on the ground on which alone you say it was possible to meet us, and that you mean by that expression a departure from our system of defence against the new kind of warfare still practised by France, I am at a loss to discover from what source they could have derived those expectations; certainly not from the correspondence between the Marquis Wellesley and Mr. Pinkney.

Before I proceed to reply to the arguments which are brought forward by you to show that the Decrees of Berlin and Milan are repealed, I must first enter into an explanation upon some points on which you have evidently misapprehended, for I will not suppose you could have wished to misinterpret my meaning.

And first, in regard to the blockade of May, 1806, I must avow that I am wholly at a loss to find out from what part of my letter it is that the President has drawn the *unqualified* inference, that should the Orders in Council of 1807, be revoked, the blockade of May, 1806, would cease with them. —It is most material that, on this point, no mistake should exist between us. From your letter it would appear, as if on the question of blockade which America had so unexpectedly connected with her demand for a repeal of our Orders in Council, Great-Britain had made the concession required of her; as if, after all that has passed on the subject, after the astonishment and regret of his majesty's government at the United States having taken up the view which the French government presented, of our just and legitimate principles of blockade, which are exemplified in

the blockade of May, 1806, the whole ground taken by his majesty's government was at once abandoned. When I had the honor to exhibit to you my instructions, and to draw up as I conceived, according to your wishes and those of the President, a statement of the mode in which that blockade would probably disappear, I never meant to authorise such a conclusion, and I now beg most unequivocally to disclaim it. The blockade of May, 1806, will not continue after the repeal of the Orders in Council, unless his majesty's government shall think fit to sustain it by the special application of a sufficient naval force, and the fact of its being so continued or not, will be notified at the time. If, in this view of the matter, which is certainly presented in a conciliatory spirit, one of the obstacles to a complete understanding between our countries can be removed by the United States government waving all further reference to that blockade when they can be justified in asking a repeal of the Orders, and if I may communicate this to my government, it will undoubtedly be very satisfactory ; but I beg distinctly to disavow having made any acknowledgment that the blockade would cease merely in consequence of a revocation of the Orders in Council ; whenever it does cease, it will cease because there will be no adequate force to maintain it.

On another very material point, sir, you appear to have misconstrued my words ; for in no one passage of my letter can I discover any mention of innovations on the part of Great-Britain, such as you say excited a painful surprise in your government. There is no new pretension set up by his majesty's government. In answer to questions of yours, as to what were the Decrees or regulations of France which Great-Britain complained of, and against which she directs her retaliatory measures, I brought distinctly into your view the Berlin and Milan Decrees, and you have not denied, because, indeed, you could not, that the provisions of those Decrees were new measures of war on the part of France, acknowledged as such by her ruler, and contrary to the principles and usages of civilized nations. That the present war has been oppressive beyond example by its duration, and the desolation it spreads through Europe, I willingly agree with you, but the United States cannot surely mean to attribute the cause to Great-Britain. The question

between Great-Britain and France is that of an honorable struggle against the lawless efforts of an ambitious tyrant, and America can but have the wish of every independent nation as to its result.

On a third point, sir, I have also to regret that my meaning should have been mistaken. Great-Britain never contended that British merchant vessels should be allowed to trade with her enemies, or that British property should be allowed entry into their ports, as you would infer; such a pretension would indeed be preposterous; but Great-Britain does contend against the system of terror put in practice by France, by which usurping authority wherever her arms or the timidity of nations will enable her to extend her influence, she makes it a crime to neutral countries as well as individuals that they should possess articles, however acquired, which may have been once the produce of English industry or of the British soil. Against such an abominable and extravagant pretension every feeling must revolt, and the honor no less than the interest of Great-Britain engages her to oppose it.

Turning to the course of argument contained in your letter, allow me to express my surprise at the conclusion you draw in considering the question of priority relative to the French Decrees or British Orders in Council. It was clearly proved that the blockade of May, 1806, was maintained by an adequate naval force, and therefore was a blockade founded on just and legitimate principles, and I have not heard that it was considered in a contrary light when notified as such to you by Mr. Secretary Fox, nor until it suited the views of France to endeavor to have it considered otherwise. Why America took up the view the French government chose to give of it, and could see in it grounds for the French Decrees, was always matter of astonishment in England.

Your remarks on modifications at various times of our system of retaliation will require the less reply from the circumstance of the Orders in Council of April, 1809, having superceded them all. They were calculated for the avowed purpose of softening the effect of the original Orders on neutral commerce, the incidental effect of those Orders on neutrals having been always sincerely regretted by his majesty's government; but when it was found that neutrals objected to them they were removed.

As to the principle of retaliation, it is founded on the just and natural right of self defence against our enemy ; if France is unable to enforce her Decrees on the ocean, it is not from the want of will, for she enforces them wherever she can do it ; her threats are only empty where her power is of no avail.

In the view you have taken of the conduct of America, in her relations with the two belligerents, and in the conclusion you draw with respect to the impartiality of your country, as exemplified in the non-importation law, I lament to say I cannot agree with you. That act is a direct measure against the British trade, enacted at a time when all the legal authorities in the United States appeared ready to contest the statement of a repeal of the French Decrees, on which was founded the President's proclamation of November 2d, and consequently to dispute the justice of the proclamation itself.

You urge, sir, that the British government promised to proceed *pari passu* with France in the repeal of her Edicts. It is to be wished you could point out to us any step France has taken in repeal of hers. Great-Britain has repeatedly declared that she would repeal when the French did so, and she means to keep to that declaration.

I have stated to you that we could not consider the letter of August 5, declaring the repeal of the French Edicts, providing we revoked our Orders in Council, or America resented our not doing so, as a step of that nature ; and the French government knew that we could not ; their object was evidently while their system was adhered to, in all its rigor, to endeavor to persuade the American government that they had relaxed from it, and to induce her to proceed in enforcing the submission of Great-Britain to the inordinate demands of France. It is to be lamented that they have but too well succeeded ; for the United States government appear to have considered the French Declaration in the sense in which France wished it to be taken, as an absolute repeal of her Decrees, without adverting to the conditional terms which accompanied it.

But you assert that no violations of your neutral rights by France occur on the high seas, and that these were all the violations alluded to in the act of Congress of May, 1810. I readily believe, indeed, that such cases are rare, but



it is owing to the preponderance of the British navy that they are so, when scarce a ship under the French flag can venture to sea without being taken, it is not extraordinary that they make no captures. If such violations alone were within the purview of your law, there would seem to have been no necessity for its enactment. The British navy might have been safely trusted for the prevention of this occurrence. But I have always believed and my government has believed, that the American legislators had in view in the provision of their law as it respects France, not only her deeds of violence on the seas, but all the novel and extraordinary pretensions and practices of her government which infringed their neutral rights.

We have had no evidence as yet of any of those pretensions being abandoned. To the ambiguous declaration in Mr. Champagny's note is opposed the unambiguous and personal declaration of Bonaparte himself. You urge that there is nothing incompatible with the revocation of the Decrees in respect to the United States, in his expressions to the deputies from the free cities of Hamburgh, Bremen, and Lubeck, that it is distinctly stated in that speech, *that the blockade of the British Islands shall cease when the British blockade shall cease*, and that the French blockade shall cease in favor of those nations in whose favor Great-Britain revokes hers or who support their rights against her pretensions.

It is to be inferred from this and the corresponding parts of the declaration alluded to, that unless Great-Britain sacrifices her principles of blockade, which are those authorized by the established laws of nations, France will still maintain her Decrees of Berlin and Milan, which indeed, the speech in question declares to be the fundamental laws of the French empire.

I do not, I confess, conceive how these avowals of the ruler of France, can be said to be compatible with the repeal of his Decrees in respect to the United States. If the United States are prepared to insist on the sacrifices by Great-Britain of the ancient and established rules of maritime war practised by her, then indeed they may avoid the operation of the French Decrees, but otherwise, according to this document, it is very clear that they are still subjected to them.

The Decree of Fountainbleau is confessedly founded on the Decrees of Berlin and Milan, dated the 19th October, 1810, and proves their continued existence. The report of the French minister of December 8, announcing the perseverance of France in her Decrees is still further in confirmation of them, and a re-perusal of the letter of the minister of justice, of the 25th last December, confirms me in the inference I drew from it, for otherwise why should that minister make the prospective restoration of American vessels, taken after the 1st of November, to be a consequence of the non-importation, and not of the French revocation. If the French government had been sincere, they would have ceased infringing on the neutral rights of America, after the 1st November.—That they violated them, however, after that period, is notorious.

Your government seem to let it be understood that an ambiguous declaration from Great-Britain, similar to that of the French minister, would have been acceptable to them. But, sir, is it consistent with the dignity of a nation that respects itself, to speak in ambiguous language? The subjects and citizens of either country would in the end be the victims, as many are already, in all probability, who from a misconstruction of the meaning of the French government, have been led into the most imprudent speculations. Such conduct would not be to proceed *pari passu* with France in revoking our Edicts, but to descend to the use of the perfidious and juggling contrivances of her cabinet, by which she fills her coffers at the expense of independent nations. A similar construction of proceeding *pari passu* might lead to such Decrees as those of Rambouillet, or of Bayonne, to the system of exclusion or of licences, all measures of France against the American commerce, is nothing short of absolute hostility.

It is urged that no vessel has been condemned by the tribunals of France, on the principles of her Decrees since the 1st of November. You allow, however, that there have been some detained since that period, and that such part of the cargoes as consisted of goods not the produce of America, was seized, and the other part, together with the vessel itself, only released after the President's proclamation became known in France. These circumstances, surely, only prove the difficulty that France is under in reconciling her

anti-commercial and anti-neutral system, with her desire to express her satisfaction at the measures taken in America against the commerce of Great-Britain. She seizes in virtue of the Berlin and Milan Decrees, but she makes a partial restoration for the purpose of deceiving America.

I have now followed you, I believe, sir, through the whole range of your argument, and on reviewing the course of it, I think I may securely say that no satisfactory proof has yet been brought forward of the repeal of the obnoxious Decrees of France, but on the contrary, that it appears they continue in full force, consequently that no grounds exist on which you can, with justice, demand of Great-Britain a revocation of her Orders in Council ;—that we have a right to complain of the conduct of the American government, in enforcing the provisions of the act of May, 1810, to the exclusion of the British trade, and afterwards in obtaining a special law for the same purpose, though it was notorious at the time that France still continued her aggressions upon American commerce, and had recently promulgated anew her Decrees, suffering no trade from this country, but through licences publicly sold by her agent, and that all the suppositions you have formed of innovations on the part of Great-Britain, or of her pretensions to trade with her enemies are wholly groundless. I have also stated to you the view his majesty's government has taken of the question of the blockade of May, 1806, and it now only remains that I urge afresh the injustice of the United States' government, persevering in their union with the French system, for the purpose of crushing the commerce of Great-Britain.

From every consideration which equity, good policy, or interest can suggest, there appears to be such a call upon America to give up this system, which favors France, to the injury of Great-Britain, that I cannot, however little satisfactory your communications are, as yet abandon all hopes that even before the Congress meet, a new view may be taken of the subject by the President, which will lead to a more happy result.

I have the honor to be, with very high consideration and respect, sir, your most obedient humble servant,

AUGUSTUS J. FOSTER.

*Mr. Monroe to Mr. Foster.*

DEPARTMENT OF STATE, July 27th, 1811.

SIR—I had the honor to receive your letter of yesterday's date, in time to submit it to the view of the President before he left town.

It was my object to state to you in my letter of the 23d inst. that under existing circumstances, it was impossible for the President to terminate the operation of the non-importation law of the 2d of March last; that France having excepted the proposition made by a previous law equally to G. Britain and to France, and having revoked her Decrees, violating our neutral rights, and Great-Britain having declined to revoke hers, it became the duty of this government to fulfil its engagement, and to declare the non-importation law in force against Great-Britain.

This state of affairs has not been sought by the United States. When the proposition, contained in the law of May 1st, 1810, was offered equally to both powers, there was cause to presume that Great-Britain would have accepted it, in which event the non-importation law would not have operated against her.

It is in the power of the British government at this time to enable the President to set the non-importation law aside, by rendering to the United States an act of justice. If Great-Britain will cease to violate our neutral rights by revoking her Orders in Council, on which event alone the President has the power, I am instructed to inform you that he will, without delay, exercise it by terminating the operation of this law.

It is presumed that the communications which I have had the honor to make to you, of the revocation by France of her Decrees, so far as they violated the neutral rights of the United States, and of her conduct since the revocation, will present to your government a different view of the subject, from that which it had before taken, and produce in its councils a correspondent effect.

I have the honor to be, &c.

JAMES MONROE.

*Mr. Monroe to Mr. Foster.*

SIR—I have had the honor to receive your letter of the 26th of July, and to submit it to the view of the President.

In answering that letter, it is proper that I should notice a complaint that I had omitted to reply in mine of the 23d of July, to your remonstrance against the proclamation of the President, of November last, and to the demand which you had made, by order of your government, of the repeal of the non-importation act of March 2d, of the present year.

My letter has certainly not merited this imputation.

Having shown the injustice of the British government in issuing the Orders in Council on the pretext assigned, and its still greater injustice in adhering to them after that pretext had failed, a respect for Great-Britain, as well as for the United States, prevented my placing in the strong light in which the subject naturally presented itself, the remonstrance alluded to, and the extraordinary demand founded on it, that while your government accommodated in nothing, the United States should relinquish the ground, which by a just regard to the public rights and honor, they had been compelled to take. Propositions tending to degrade a nation, can never be brought into discussion by a government, not prepared to submit to the degradation. It was for this reason that I confined my reply to those passages in your letter, which involved the claim of the United States, on the principles of justice, to the revocation of the Orders in Council. Your demand, however, was neither unnoted or unanswered. In laying before you the complete, and as was believed, irresistible proof on which the United States expected, and called for the revocation of the Orders in Council, a very explicit answer was supposed to be given to that demand.

Equally unfounded is your complaint that I misunderstood that passage, which claimed as a condition of the revocation of the Orders in Council, that the trade of Great-Britain with the continent, should be restored to the state in which it was before the Berlin and Milan Decrees were issued. As this pretension was novel and extraordinary, it was necessary that a distinct idea should be formed of it, and with that view, I asked such an explanation as would enable me to form one.

In the explanation given, you do not insist on the right to trade in British property, with British vessels, directly with your enemies. Such a claim, you admit, would be preposterous. But you do insist by necessary implication, that

France has no right to inhibit the importation into her ports of British manufactures, of the produce of the British soil, when the property of neutrals ; and that, until France removes that inhibition, the United States are to be cut off by Great-Britain from all trade whatever, with her enemies.

On such a pretension it is almost impossible to reason. There is, I believe, no example of it in the history of past wars. Great-Britain, the enemy of France, undertakes to regulate the trade of France ; nor is that all ; she tells her that she must trade in British goods. If France and Great-Britain were at peace, this pretension would not be set up, nor even thought of. Has Great-Britain then acquired in this respect by war, rights which she has not in peace ? And does she announce to neutral nations, that unless they consent to become the instruments of this policy, their commerce shall be annihilated, and their vessels shall be shut up in their own ports ?

I might ask whether French goods are admitted into Great-Britain, even in peace, and if they are, whether it be of right, or by the consent and policy of the British government ?

That the property would be neutralized does not effect the question. If the United States have no right to carry their own productions into France without the consent of the French government, how can they undertake to carry there those of Great-Britain ? In all cases it must depend on the interest and the will of the party.

Nor is it material to what extent, or by what powers, the trade of the continent is prohibited. If the powers who prohibit it, are at war with Great-Britain, the prohibition is a necessary consequence of that state. If at peace, it is their own act ; and whether it be voluntary, or compulsive, they alone are answerable for it. If the act be taken at the instigation and under the influence of France, the most that can be said, is, that it justifies reprisal against them, by a similar measure. On no principle whatever can it be said to give any sanction to the conduct of Great-Britain towards neutral nations.

The United States can have no objection to the employment of their commercial capital in the supply of France, and of the continent generally, with manufactures, and to comprise in the supply those of Great-Britain, provided

ose powers will consent to it. But they cannot undertake to  
 ree such supplies on France or on any other power, in  
 mpliance with the claim of the British government, on  
 inciples incompatible with the rights of every indepen-  
 ent nation, and they will not demand in favor of another  
 iver, what they cannot claim for themselves.

All that Great-Britain could with reason complain of,  
 as the inhibition by the French Decrees, of the lawful  
 ade of neutrals, with the British dominions. As soon as  
 at inhibition ceased, her inhibition of our trade with  
 rance ought in like manner to have ceased. Having  
 edged herself to proceed *pari passu* with France, in the  
 vocation of their respective acts, violating neutral rights,  
 has afforded just cause of complaint, and even of aston-  
 hment, to the United States, that the British government  
 ould have sanctioned the seizure and condemnation of  
 merican vessels under the Orders in Council after the re-  
 ocation of the French Decrees was announced, and even  
 the very moment when your mission, avowed to be con-  
 liatory, was to have its effect.

I will only add that had it appeared finally, that France  
 ad failed to perform her engagements, it might at least  
 ave been expected, that Great-Britain would not have mo-  
 sted such of the vessels of the United States as might be  
 ntering the ports of France, on the faith of both govern-  
 ents, till that failure was clearly proved.

To many insinuations in your letter I make no reply, be-  
 ause they sufficiently suggest the only one that would be  
 roper.

If it were necessary to dwell on the impartiality which  
 as been observed by the United States towards the two bel-  
 gerents, I might ask, whether if Great-Britain had accept-  
 d the condition which was offered equally to her and  
 rance, by the act of May 1st, 1810, and France had re-  
 cted it, there is cause to doubt that the non-importation act  
 ould have been carried into effect against France? No  
 ouch doubt can possibly exist, because in a former instance,  
 hen this government, trusting to a fulfilment by yours, of  
 n arrangement which put an end to a non-intercourse with  
 reat-Britain, the non-intercourse was continued against  
 rance, who had not then repealed her Decrees, as it was  
 ot doubted England had done. Has it not been repeat-

edly declared to your government, that if Great-Britain would revoke her Orders in Council, the President would immediately cause the non-importation to cease? You well know that the same declaration has often been made to yourself, and that nothing more is wanting to the removal of the existing obstructions to the commerce between the two countries, than a satisfactory assurance, which will be received with pleasure from yourself, that the Orders in Council are at an end.

By the remark in your letter of the 3d of July, that the blockade of May, 1806, had been included in the more comprehensive system of the Orders in Council of the following year, and that, if that blockade should be continued in force after the repeal of the Orders in Council, it would be in consequence of the special application of a sufficient naval force, I could not but infer your idea to be, that the repeal of the Orders in Council would necessarily involve the repeal of the blockade of May. I was the more readily induced to make this inference, from the consideration that if the blockade was not revoked by the repeal of the Orders in Council, there would be no necessity for giving notice that it would be continued; as by the further consideration, that according to the decision of your court of admiralty, a blockade instituted by proclamation does not cease by the removal of the force applied to it, nor without a formal notice by the government to that effect.

It is not, however, wished to discuss any question relative to the mode by which that blockade may be terminated. Its actual termination is the material object for consideration.

It is easy to shew, and it has already been abundantly shown, that the blockade of May, 1806, is inconsistent on any view that may be taken of it with the law of nations. It is also easy to show that, as now expounded, it was equally inconsistent with the sense of your government, when the order was issued; and this change is a sufficient reply to the remarks which you have applied to me personally.

If you will examine the order, you will find that it is strictly, little more than a blockade of the coast from the Seine to Ostend. There is an express reservation in it in favor of neutrals to any part of the coast between Brest and



the Seine, and between Ostend and the Elbe. Neutral powers are permitted by it to take from their own ports every kind of produce without distinction as to its origin ; and to carry it to the continent under that limitation, and with the exception only of contraband of war, and enemy's property, and to bring thence to their own ports in return, whatever articles they think fit.<sup>1</sup> Why were contraband of war and enemy's property excepted, if a commerce even in those articles would not otherwise have been permitted under the reservation ? No order was necessary to subject them to seizure. They were liable to it according to the law of nations, as asserted by Great-Britain.

Why then did the British government institute a blockade, which with respect to neutrals was not rigorous, as to the greater part of the coast comprised in it ? If you will look to the state of things which then existed between the United States and Great-Britain, you will find the answer. A controversy had taken place between our governments on a different topic, which was still pending. The British government had interfered with the trade between France and her allies in the produce of their colonies. The just claim of the United States was then a subject of negotiation ; and your government professing its willingness to make a satisfactory arrangement of it, issued the Order which allowed the trade, without making any concession as to the principle, reserving that for adjustment by treaty. It was in this light that I viewed, and in this sense that I represented that order to my government ; and in no other did I make any comment on it.

When you reflect that this order by allowing the trade of neutrals, in colonial productions, to all that portion of the coast which was not rigorously blockaded, afforded to the United States an accommodation in a principal point then at issue between our governments, and of which their citizens extensively availed themselves that that trade and the question of blockade, and every other question in which the United States and Great-Britain were interested, were then in a train of amicable negotiation, you will, I think, see the cause why the minister who then represented the United States with the British government, did not make a formal complaint against it. You have appealed to me, who happened to be that minister, and urged my silence as an evi-

dence of my approbation of, or at least acquiesce in the blockade.—An explanation of the cause of that supposed silence is not less due to myself, than to the true character of the transaction. With the minister with whom I had the honor to treat, I may add, that an official formal complaint was not likely to be resorted to, because friendly communications were invited and preferred. The want of such a document is no proof that the measure was approved by me, or that no complaint was made. In recalling to my mind, as this incident naturally does, the manly character of that distinguished and illustrious statesman, and the confidence with which he inspired all those with whom he had to treat, I shall be permitted to express as a slight tribute of respect to his memory, the very high consideration in which I have always held his great talents and virtues.

The United States have not, nor can they approve the blockade of an extensive coast. Nothing certainly can be inferred from any thing that has passed relative to the blockade of May, 1806, to countenance such an inference.

It is seen with satisfaction that you still admit that the application of an adequate force is necessary to give a blockade a legal character, and that it will lose that character, whenever that adequate force ceases to be applied. As it cannot be alledged that the application of any such adequate force has been continued, and actually exists in the case of the blockade of May, 1806, it would seem to be a fair inference, that the repeal of the Orders in Council will leave no insuperable difficulty with respect to it. To suppose the contrary, would be to suppose that the Orders in Council, said to include that blockade, resting themselves on a principle of retaliation only, and not sustained by the application of an adequate force, would have the effect of sustaining a blockade admitted to require the application of an adequate force, until such adequate force should actually take the place of the Orders in Council. Whenever any blockade is instituted, it will be a subject for consideration, and if the blockade be in conformity to the law of nations, there will be no disposition in this government to contest it.

I have the honor to be, &c.

JAMES MONROE.

*Mr. Foster to Mr. Monroe.*

WASHINGTON, October 22, 1811.

SIR—I had the honor to receive your letter of the 17th inst. together with its three enclosures, on the road between Baltimore and this city ; I had that of receiving at the same time, your letter dated October 1, in answer to mine of the 26th of last July.

Not having had any despatches from his majesty's government lately, I have not as yet received the copy of the recent communication from Paris in regard to the supposed repeal of the French Decrees, which the charge d'affairs of the United States at London has intimated to you, that he understood the Marquis Wellesley intended to transmit to me, and which I conclude is the same as that contained in the letter of Mr. Russell, the American charge d'affairs in France. I am however in daily expectation of the arrival of his majesty's packet boat, when it will in all probability reach me, and when if I should receive any fresh instructions in consequence I will not fail immediately to acquaint you. In the meanwhile, however, I beg you will permit me to make some remarks in reply to your letter of October 1, being extremely anxious to do away the impression which you seem to have received relative to the demand I had made for the repeal of the non-importation act of the present year.

It is, I assure you, sir, with great regret that I find you consider that demand as involving in any degree propositions tending to degrade your nation. Such an idea certainly never existed with his majesty's government, nor would it be compatible with the friendly sentiments entertained by them, for the United States ; neither could I have suffered myself to be the channel of conveying a demand which I thought had such a tendency.—However you view the demand made on the part of Great-Britain, I can safely say that it was made in consequence of its appearing to his majesty's government on strong evidence that the chief of the French nation had really deceived America as to the repeal of his Decrees, and in the hopes that the United States' government would therefore see the justice of replacing this country on its former footing of amicable relations with England, nothing appearing to be more natural than such an expectation, which seemed a necessary conse-

quence of the disposition expressed by America to maintain her neutrality, and desirable in every other point of view. I cannot indeed bring myself to think, sir, that your candor would allow you, on a consideration, to put any other construction on the matter, and had my arguments had sufficient weight with you in shewing that the French Decrees were still in force, I cannot doubt but you would have agreed with me in the conclusion I drew—it would seem therefore only owing to your not viewing the deceitful conduct of the French government in the same light that it appears to his majesty's government, that a difference of opinion exists between us as to the proposal I made, which under the conviction entertained by them was, surely a very just and natural one.

From the earnest desire of vindicating myself and my government from the charge of making any degrading or unjust demands on that of America, I have taken the liberty to trouble you so far and I will now proceed to shew why I thought you had misunderstood the passage of my letter which related to the extent in which the repeal of the French Decrees was required by Great-Britain. In the explanation which you desired on this point I gave you that which the Marquis Wellesley gave Mr. Pinkney in answer to his letter of August 25, 1810, and I beg to refer you to the message of the President of the United States on the opening of Congress in December, 1810, for a proof that the demand of Great-Britain in the extent in which I have stated it was known to your government several months ago—how was I therefore to suppose in the term innovations, as applied to the explanation given by me, that you could mean otherwise than some really new pretension on the part of Great-Britain such as that France should suffer British property to be carried into her ports for the purposes of trade? If the warmth I was betrayed into in endeavoring to refute a supposed imputation of this sort gave any offence, I sincerely regret it, and I will beg permission here to say, sir, that if unconsciously I have by any of my remarks led you to suppose they conveyed any improper insinuations, as one paragraph of your letter would appear to imply, I am most unfeignedly sorry for it, as I entertain the highest respect for you, personally, and for your government; and could only have meant what I wrote in the way of ar-

gument, or for the purpose of contrasting the proceedings of France in her conduct towards the United States with that of Great-Britain.

In reverting to the extraordinary and unprecedented situation of things that has arisen out of the war in Europe it would seem needless to repeat the evidence there is that the lawless and unbounded ambition of the ruler of France has been the origin of it, and it cannot be a secret to the United States government that his plan has been and avowedly continues to be, not to scruple at the violation of any law, provided he can thereby overthrow the maritime power of England. Is it not therefore reasonable in Great-Britain to distrust an ambiguous declaration of his having suddenly given up any part of a system which he thought calculated to produce such an effect? You say however that the Decrees of Berlin and Milan are revoked. America, as not being at war, and therefore not seeing so clearly into the views of France, may be less scrupulous as to the evidence necessary to prove the fact—but sir, it surely cannot be expected that Great-Britain, who is contending for every thing that is dear to her, should not require more proof on a point so material to her. It is undoubtedly a very desirable thing for the United States to have a free and unrestricted trade with both belligerents, but the essential security and most important interests of America are not involved in the question as are those of Great-Britain. France has levelled a blow which she hopes will prove deadly to the resources of G. Britain, and before the British government can with safety give up the measures of defence in consequence adopted by them, very strong proof must exist of the cessation by France of her novel and unprecedented measures.

I confess, sir, with the sincerest disposition, to discover on the part of the ruler of France, a return to the long-established practice of warfare as exercised in civilized Europe, I have been unable to succeed; and if the French government had really meant to withdraw their obnoxious Decrees, it is inconceivable, why, instead of allowing their intentions to be guessed at, or inferred, they should not openly and in plain language have declared so; the Decrees themselves, having been clearly enough announced on their enactment, why should not their revocation be equally explicit?

While, however, numerous declarations have been made on the part of France, of the continued existence of the Decrees and captures made under them of neutral ships have occurred, a few of the American vessels seized since November 1, have been restored, and the foregoing, a very small part of his plunder, is desired by Bonaparte to be considered as a proof of the sincerity of his revocation by America ; but it must be recollected, that besides the object of ruining the British resources by his own unauthorized regulations, he has also that of endeavoring to obtain the aid of the United States for the same purpose, and herein you will, as I had the honor to remark in a former letter, be able to observe the cause of the apparently contradictory language held both by himself and his ministers.

I shall be extremely happy, to receive from you, sir, the information that in a frank and unambiguous manner the chief of the French government had revoked his Decrees: Why he should not do so is inexplicable if he means to revert to the ordinary rules of war, but while he exercises such despotic sway wherever his influence extends, to ruin the resources of England, it cannot be expected that Great-Britain shall not use the means she possesses for the purpose of making him feel the pressure of his own system. There is every reason to believe, that ere long the effects on the enemies of Great-Britain will be such, as irresistibly to produce a change which will place commerce on its former basis. In the mean time, sir, I hope you will not think it extraordinary, if I should contend that the seizure of American ships by France, since November 1, and the positive and unqualified declarations of the French government, are stronger proofs of the continued existence of the French Decrees and the bad faith of the ruler of France, than the restoration of five or six vessels, too palpably given up for fallacious purposes, or in testimony of his satisfaction at the attitude taken by America, is a proof of their revocation, or of his return to the principles of justice.

I will only repeat, sir, in answer to your observations, on the late condemnation of the ships taken under his majesty's Orders in Council, what I have already had the honor to state to you, that the delay which took place in their condemnation was not in consequence of any doubt existing in his majesty's government, as to whether the French Decrees

were revoked, as you seem to imagine, but in consequence of its being thought that the American government upon its appearing that they were deceived by France, would have ceased their injurious measures against the British commerce. A considerable time elapsed before the decision took place on those ships, and there is no doubt, but that had the U. States' government not persisted in the unfriendly attitude towards G. Britain on discovering the ill faith of France, a spirit of conciliation in his majesty's government would have caused their release.

In reply to your observations on the pretensions of G. Britain, relative to the revocation of the French Decrees, I beg to repeat that the sum of the demand made by England is, that France should follow the established laws of warfare as practised in former wars in Europe. Her ruler by his Decrees of Berlin and Milan, declared himself no longer bound by them ; he has openly renounced them in his violent efforts to ruin the resources of G. Britain, and has trampled on the rights of independent nations to effect his purpose. If the French government make use of means of unprecedented violence to prevent the intercourse of England with unoffending neutrals, can it be expected that England should tamely suffer the establishment of such a novel system of war without retaliation, and endeavoring in her turn to prevent the French from enjoying the advantages of which she is unlawfully deprived ?

Having explained already the situation in which the question of the blockade of May, 1806, rests, according to the views of his majesty's government, and the desire of G. Britain to conduct her system of blockade according to the laws of nations, I will only advert to it on this occasion, for the purpose of taking the liberty of acknowledging to you, the very great pleasure I received from the highly honorable mark of respect, which you have taken the occasion to express for the illustrious statesman from whose counsels that measure emanated.

I need not repeat to you, sir, what sincere satisfaction it would give me, if without the sacrifice of the essential rights and interests of G. Britain, all the points in discussion between our two countries could be finally adjusted.

I have the honor to be, &c.

AUGUSTUS J. FOSTER.

*Mr. Monroe to Mr. Foster.*

DEPARTMENT OF STATE, Oct. 29, 1811.

SIR—I have had the honor to receive your letter of the 22d of this month, and to lay it before the President.

The assurance which you have given of your disposition to reciprocate, in our communications on the important subjects depending between our governments, the respectful attention which each has a right to claim, and that no departure from it was intended in your letter of the 26th July, has been received with the satisfaction due to the frank and conciliatory spirit in which it was made.

I learn, however, with much regret, that you have received no instructions from your government, founded on the new proof of the revocation of the Berlin and Milan Decrees, which was communicated to the Marquis of Wellesley, by the American charge d'affairs at London, in a document of which I had the honor to transmit to you a copy. It might fairly have been presumed, as I have before observed, that the evidence afforded by that document, of the complete revocation of those Decrees, so far as they interfered with the commerce of the U. States with the British dominions, would have been followed by an immediate repeal of the Orders in Council. From the reply of the Marquis of Wellesley, it was at least to have been expected that no time had been lost in transmitting that document to you, and that the instructions accompanying it, would have manifested a change in the sentiments of your government on the subject. The regret, therefore, cannot but be increased in finding that the communication, which I had the honor to make to you, has not even had the effect of suspending your efforts to vindicate the perseverance of your government in enforcing those Orders.

I regret also to observe, that the light in which you have viewed this document, and the remarks which you have made on the subject, generally, seems to preclude any other view of the conditions on which those Orders are to be revoked, than those that were furnished by your former communications. You still adhere to the pretension that the productions and manufactures of G. Britain, when neutralized, must be admitted into the ports of your enemies. This pretension, however vague the language heretofore held by your government, particularly by the Marquis of



Wellesley, in his communications with Mr. Pinkney, on the subject, was never understood to have been embraced. Nothing, indeed, short of the specific declarations which you have made, would have induced a belief that such was the case.

I have the honor to be, &c.

JAMES MONROE.

*Mr. Foster to Mr. Monroe.*

WASHINGTON, Oct. 31st, 1811.

SIR—I did not reply at length to the observations contained in your letter of the 1st inst. on the pretensions of G. Britain as relative to the French system, because you seemed to me to have argued as if but a part of the system continued, and even that part had ceased to be considered as a measure of war against G. Britain. For me to have allowed this, would have been at once to allow in the face of facts, that the Decrees of France were repealed, and that her unprecedented measures, avowedly pursued in defiance of the laws of nations, were become mere ordinary regulations of trade. I therefore thought fit to confine my answer to your remarks, to a general statement of the sum of the demands of G. Britain, which was, that France should by effectually revoking her Decrees, revert to the usual method of carrying on war as practised in civilized Europe.

The pretensions of France to prohibit all commerce in articles of British origin, in every part of the continent, is one among the many violent innovations which are contained in the Decrees, and which are preceded by the declaration of their being founded on a determination of the ruler of France, as he himself avowed, to revert to the principles which characterised the barbarism of the dark ages, and to forget all ideas of justice, and even the common feelings of humanity, in the new method of carrying on war adopted by him.

It is not, however, a question with G. Britain of mere commercial interest, as you seem to suppose, which is involved in the attempt by Bonaparte to blockade her both by sea and land, but one of the feeling, and of national honor, contending as we do against the principles which he professes in his new system of warfare. It is impossible for us to submit to the doctrine that he has a right to compel the whole continent to break off all intercourse with us, and to seize upon

vessels belonging to neutral nations upon the sole plea of their having visited an English port, or of their being laden with articles of British or colonial produce, in whatsoever manner acquired.

This pretension, however, is but a part of that system, the whole of which, under our construction of the letter of M. Champagny, of August 5, 1810, corroborated by many subsequent declarations of the French government, and not invalidated by any unequivocal declaration of a contrary tenor, must be considered as still in full force.

In the communication which you lately transmitted to me, I am sorry to repeat, that I was unable to discover any facts which satisfactorily proved that the Decrees had been actually repealed, and I have already repeatedly stated the reasons which too probably led to the restoration of a few of the American ships taken in pursuance of the Berlin and Milan Decrees after November 1. Mr. Russell does not seem to deny that the Decrees may still be kept in force, only he thinks they have assumed a municipal character; but in M. Champagny's declaration, ambiguous as it was, there is no such division of them into two different characters; for if the contingency required by the French Minister took place, the Berlin and Milan Decrees were to cease, according to his expression, without any qualification. If, therefore, a part of them remain, or be revived again, as seems to be allowed even here, why may not the whole be equally so? Where proof can be obtained of their existence, we have it, namely, in the ports of France, in which vessels have been avowedly seized under their operation since November 1. Of their maritime existence we cannot so easily obtain evidence, because of the few French ships of war which venture to leave their harbors. Who can doubt, however, that had the ruler of France a navy at his command, equal to the enforcing of his violent Decrees, he would soon show that part of them to be no dead letter. The principle is not the less obnoxious because it is from necessity almost dormant for the moment, nor ought it therefore to be less an object to be strenuously resisted.

Allow me, sir, here to express my sincere regret, that I have not as yet been able to convince you, by what I cannot but consider the strongest evidence, of the continued existence of the French Decrees, and consequently of the

unfriendly policy of your government in enforcing the non-importation against us, and opening the trade with our enemies. His royal highness will, I am convinced, learn with unfeigned sorrow, that such continues to be still the determination of America, and whatever restrictions on the commerce, enjoyed by America in his majesty's dominions, may ensue on the part of G. Britain, as retaliatory on the refusal by your government to admit the productions of G. Britain while they open their harbors to those of his majesty's enemies, they will, I am persuaded, be adopted with sincere pain, and with pleasure relinquished whenever this country shall resume her neutral position and impartial attitude between the two belligerents.

I have the honor to be, &c.

AUGUSTUS J. FOSTER.

## CHAPTER II.

### MESSAGE,

*To the Senate and House of Representatives of the U. States.*

I communicate to Congress copies of a correspondence between the Envoy Extraordinary and Minister Plenipotentiary of G. Britain and the Secretary of State, relative to the aggression committed by a British ship of war on the U. States' frigate Chesapeake, by which it will be seen that the subject of difference between the two countries, is terminated by an offer of reparation which has been acceded to.

JAMES MADISON,

*Washington, November 18, 1811.*

*Mr. Foster to Mr. Monroe.*

WASHINGTON, October 30, 1811.

SIR—I had already the honor to mention to you that I came to this country furnished with instructions from his royal highness the prince regent, in the name and on behalf of his majesty, for the purpose of proceeding to a final adjustment of the differences which have arisen between G. Britain and the U. States of America in the affair of the Chesapeake Frigate; and I had also that of acquainting you with the necessity under which I found myself of suspen-

ding the executing of those instructions in consequence of my not having perceived that any steps whatever were taken by the American government to clear up the circumstance of an event which threatened so materially to interrupt the harmony subsisting between our two countries, as that which occurred in the month of last May, between the U. States' ship President and his majesty's ship Little Belt, when every evidence before his majesty's government seemed to shew that a most evident and wanton outrage had been committed on a British ship of war by an American Commodore.

A Court of Enquiry, however, as you informed me in your letter of the 11th inst. has since been held by order of the President of the U. States on the conduct of Commodore Rodgers, and this preliminary to further discussion on the subject being all that I asked in the first instance as due to the friendship subsisting between the two States, I have now the honor to acquaint you that I am ready to proceed in the truest spirit of conciliation to lay before you the terms of reparation which his royal highness has commanded me to propose to the U. States' government, and only wait to know when it will suit your convenience to enter upon the discussion. I have the honor to be, &c.

AUG. J. FOSTER.

*Mr. Monroe to Mr. Foster.*

DEPARTMENT OF STATE, Oct. 31, 1811.

SIR — I have just had the honor to receive your letter of the 30th of this month.

I am glad to find that the communication which I had the honor to make to you on the 11th inst. relative to the Court of Enquiry, which was the subject of it, is viewed by you in the favorable light which you have stated.

Although I regret that the proposition which you now make in consequence of that communication, has been delayed to the present moment, I am ready to receive the terms of it whenever you may think proper to communicate them. Permit me to add, that the pleasure of finding them satisfactory, will be duly augmented, if they should be introductory to the removal of ALL the differences depending between our two countries, the hope of which is so little encouraged by your past correspondence. A prospect of

duce a result, will be embraced, on my part, with a spirit of conciliation, equal to that which has been expressed by you.

I have the honor to be, &c.

JAMES MONROE.

*Mr. Foster to Mr. Monroe.*

WASHINGTON, Nov. 1st, 1811.

SIR—In pursuance of the orders which I have received from his royal highness, the prince regent, in the name and on the behalf of his majesty, for the purpose of proceeding to a final adjustment of the differences which have arisen between G. Britain and the U. States, in the affair of the Chesapeake frigate, I have the honor to acquaint you—First, that I am instructed to repeat to the American government the prompt disavowal made by his majesty, (and recited in Mr. Erskine's note of April 17, 1809, to Mr. Smith,) on being apprised of the unauthorized act of the officer in command of his naval forces on the coast of America, whose recall from an highly important and honorable command, immediately ensued, as a mark of his majesty's disapprobation.

Secondly, that I am authorised to offer, in addition to that disavowal, on the part of his royal highness, the immediate restoration, as far as circumstances will admit, of the men who in consequence of admiral Berkley's orders, were forcibly taken out of the Chesapeake, to the vessel from which they were taken; or if that ship should be no longer in commission, to such sea-port of the U. States as the American government may name for the purpose.

Thirdly, that I am also authorised to offer to the American government a suitable pecuniary provision for the sufferers in consequence of the attack on the Chesapeake, including the families of those seamen who unfortunately fell in action, and of the wounded survivors.

These honorable propositions, I can assure you, sir, are made with the sincere desire that they may prove satisfactory to the government of the U. States, and I trust they will meet with that amicable reception which their conciliatory nature entitles them to. I need scarcely add how cordially I join with you in the wish that they might prove introductory to a removal of all the differences depending between our two countries. I have the honor to be, &c.

AUGUSTUS J. FOSTER.

*Mr. Monroe to Mr. Foster.*

WASHINGTON Nov. 12, 1811.

SIR—I have had the honor to receive your letter of the 1st November, and to lay it before the President.

It is much to be regretted that the reparation due for such an aggression as that committed on the U. States Frigate, the Chesapeake, should have been so long delayed ; nor could the translation of the offending officer from one command to another, be regarded as constituting a part of a reparation otherwise satisfactory ; considering, however, the existing circumstances of the case, and the early and amicable attention paid to it by his royal highness the prince regent, the President accedes to the proposition contained in your letter, and in so doing, your government will, I am persuaded, see a proof of the conciliatory disposition by which the President has been actuated.

The officer commanding the Chesapeake, now lying in the harbor of Boston, will be instructed to receive the men who are to be restored to that ship.

I have the honor to be, &c.

JAMES MONROE.

### MESSAGE,

*To the Senate and House of Representatives of the U. States.*

I communicate to Congress a letter from the Envoy Extraordinary and Minister Plenipotentiary of G. Britain, to the Secretary of State, with the answer of the latter.

The continued evidence, afforded in this correspondence, of the hostile policy of the British government against our national rights, strengthens the considerations recommending and urging the preparation of adequate means for maintaining them.

JAMES MADISON.

Washington, Jan. 16, 1812.

*Mr. Foster to Mr. Monroe.*

WASHINGTON, Dec. 17, 1811.

SIR—I did not mean to have written to you at this moment on the subject of our late correspondence, but that I have had the mortification to perceive statements, circulated from highly respectable sources, which give a view of the pretensions of G. Britain relative to the U. States not war-

ranted by any of the letters which I had the honor to address to you, and which, at a time when discussions are continuing so important to the two countries, might, if left unrectified, produce an effect highly to be lamented by both the American and British governments, in as much as by creating unnecessary irritation, they might throw obstacles in the way of a restoration of a friendly understanding between them.

I find it asserted, in the statement referred to, that I have, in the name of my government, demanded that the U. States' government should pass a law for the introduction of British goods into the American ports, and also that the U. States should undertake to force France to receive into her harbors British manufactures.

I beg permission, sir, to declare that neither of these demands have been made by me, and that my meaning must not have been understood, if such was conceived to have been its import. I could not have demanded the passage of such a law as above stated, because my government does not pretend to interfere with the internal government of a friendly power, nor did I mean to demand that America should force France to receive our manufactures.

All I meant to say, was, that the admission of French commerce, while that of England has been excluded from the U. States' ports, was regarded by G. Britain as highly unfriendly in America, and that a continuation of such policy would be retaliated upon by G. Britain with similar restrictions on her part, which was so far merely an offering of like for like. But while the American non-importation act excludes British trade from the U. States' ports, it must be recollected that it goes still further and excludes also British armed ships from American ports, while it admits those of the enemies of G. Britain. 'A neutral nation is responsible for the equality of its rules of conduct towards the belligerent powers;' (to use the words of an American Secretary of State in the year 1796,) and therefore that part of the law which establishes an inequality was justly an object of more serious complaint on the part of G. Britain. You are aware, sir, of the advantage which his majesty's enemies have derived from this state of inequality, which enables them, though possessing no port in this hemisphere, continually to prey on the trade of his majesty's subjects, recure of a refuge for their cruizers and their prizes.

The prohibition of entry to his majesty's ships under these circumstances might perhaps justify G. Britain in asserting, that whatever reason she may have for repealing or modifying her Orders in Council, so as to lessen, or entirely remove the pressure now unavoidably laid on the trade of America, as a neutral nation, she might yet refuse to enter into any discussion on that subject with the U. States, until either by the revocation of the prohibition above stated, or the placing all the belligerents under the same prohibition, America should cease to violate the duties of a neutral nation.

With respect, however, to the supposed demand that America should force the entry of British manufactures into France, it is most particularly necessary that I should explain myself, as a total misconception appears to have taken place upon this point. The question of retaliation on the French Decrees, is directly one between England and France. In consequence of the extraordinary blockade of England, we have in our defence been obliged to blockade France, and prohibit all trade in French articles, in return for the prohibition by France of all trade in English articles. This measure of retaliation, it is wished, should operate on France alone, but from the trade carried on with France by America, it unavoidably operates also on her; it is a measure to destroy the French trade in return for the similar measure of France on which it is retaliatory, and its acting on neutrals is an incidental effect of it, consequent upon the submission of neutrals to the original measures of the enemy against G. Britain. It is indeed melancholy that the unnatural situation of Europe should produce such a result, but I cannot see how this can be considered as war on American commerce, when all other American trade but that which is carried on with our enemy's ports in defiance of a blockade authorized by the laws of retaliation is unaffected by it. We complain that America does not resist the regulations of the Berlin and Milan Decrees, and object to permitting the French to trade with her during their continuance against the commerce of England; but this is not exacting, as has been represented, that America should force British manufactures into France; it is pursuing only a just course of retaliation on our enemy. If America wishes to trade with France, if French com-



merce is of importance to her—we expect she should exact of France to trade with her as she has a right to demand in her quality of neutral; but if she does not choose to exercise this right, all we ask is, that she should abstain from lending her assistance to the trade of France, and not allow her commerce to be a medium of undermining the resources of G. Britain.

I have thought it necessary thus to endeavor to set these two points in their true light: the repeal of the law was asked, as being an unfriendly measure, partial in its operation against G. Britain, and a prospect of retaliation was held out on its commercial operation, if continued. This is no demand on the U. States to admit British manufactures; they are at liberty to continue that law, only as it is of an unfriendly nature, some restriction of a similar kind was to be expected from England; and with respect to the alleged demand for forcing British goods, the property of neutrals, into French ports, if the U. States are willing to acquiesce in the regulations of the French Decrees unlawfully affecting England through them, they cannot surely be surprised if we consider ourselves as at liberty to refuse permission to the French to profit by that acquiescence.

I will now, sir, take the opportunity of stating to you, that I have received from his majesty's Secretary of State, the correspondence of which you did me the honor to transmit to me a copy, in your letter dated Oct 17. My government have not been able to see in it satisfactory proof of the repeal of the French Decrees, and doubt whether the trade carried on by licences between France and America, will not be regarded, even here, as proof of the continuation of them in their fullest extent, for if they were to any extent repealed, to that extent at least no licence should be necessary, a licence being given to allow what, but for that licence, would be prohibited.

The continued absence hitherto of any instrument by which the repeal has been effected, is a matter also of surprise, for if there were any fair dealing in the transaction, no reason can be given by France for not producing it; it is very desirable that it should be produced, if such an instrument be in existence, in order that we may know to what extent the Decrees have been repealed, if they really have been so in any respect. Mr. Russell however, does

not appear to have been in possession of it at the date of his letter of last July. It is indeed become particularly interesting, that we should see this instrument since the publication of Mr. Russell's correspondence with his own government, by which it appears that really, and in fact, the French government did not release any American ships taken after November 1, until they had become acquainted with the President's proclamation, and that vessels have been taken so late as December 21, in the direct voyage from this country to London; for until a copy of such an instrument is produced, it is impossible to know whether any other trade is allowed by France than that between her own dominions and the ports of the U. States.

I have the honor to be, &c.

AUGUSTUS J. FOSTER.

*Mr. Monroe to Mr. Foster.*

DEPARTMENT OF STATE, Jan. 14, 1812.

SIR—I have had the honor to receive your letter of December 17th, and embrace the first moment that I could command, to make the observations which it suggests.

It would have afforded great satisfaction to the President, to have found in the communication, some proof of a disposition in the British government to put an end to the differences subsisting between our countries.—I am sorry to be obliged to state, that it presents a new proof only of its determination to adhere to the policy, to which they are imputable.

You complain that the import of your former letters has been misunderstood in two important circumstances; that you have been represented to have demanded of the U. States, a law for the introduction of British goods into their ports, and that they should also undertake to force France to receive British manufactures into her harbors.

You state that on the first point, it was your intention only to remonstrate against the non-importation act, as partial in its operation, and unfriendly to G. Britain, on which account its repeal was claimed, and to intimate that if it was persevered in, G. Britain would be compelled to retaliate on the commerce of the U. States, by similar restrictions on her part. And on the second point, that you intended only to urge, that in consequence of the extraordinary blockade

of England, your government had been obliged to blockade France, and to prohibit all trade in French articles, in return for the prohibition by France of all trade in English articles.

It is sufficient to remark on the first point, that on whatever ground the repeal of the non-importation act is required, the United States are justified in adhering to it. by the refusal of the British government to repeal its Orders in Council ; and if a distinction is thus produced between G. Britain and the other belligerent,\*it must be referred to the difference in the conduct of the two parties.

On the second point, I have to observe, that the explanation given cannot be satisfactory, because it does not meet the case now existing. France did, it is true, declare a blockade of England, against the trade of the U. States, and prohibit all trade in English articles on the high seas, but this blockade and prohibition no longer exist.—It is true also, that a part of those Decrees, did prohibit a trade in English articles, within her territorial jurisdiction ; but this prohibition violates no national rights, or neutral commerce of the U. States. Still your blockade and prohibition are continued, in violation of the national and neutral rights of the U. States, on a pretext of retaliation, which, if even applicable, could only be applied to the former, and not to the latter interdicts : and it is required that France shall change her internal regulations against English trade, before England will change her external regulations against the trade of the U. States.

But you still insist that the French Decrees are unrevoked, and urge in proof of it, a fact drawn from Mr. Russell's correspondence, that some American vessels have been taken since the 1st of November, in their route to England. It is a satisfactory answer to this remark, that it appears by the same correspondence, that every American vessel which had been taken in that trade, the seizure of which rested on the Berlin and Milan Decrees only, were, as soon as that fact was ascertained, delivered up to their owners. Might there not be other ground also, on which seizures might be made ? G. Britain claims a right to seize for other causes, and all nations admit it in the case of contraband of war. If by the law of nations, one belligerent has a right to seize neutral property in any case, the other

belligerent has the same right. Nor ought I to overlook that the practice of counterfeiting American papers in England, which is well known to the continent, has by impairing the faith due to American documents, done to the U. States essential injury. Against this practice the minister of the U. States at London, as will appear by reference to his letter to the Marquis Wellesley of the 3d of May, 1810, made a formal representation, in pursuance of instructions from his government, with an offer of every information possessed by him, which might contribute to detect and suppress it. It is painful to add that this communication was entirely disregarded. That G. Britain should complain of acts in France, to which by her neglect, she was instrumental, and draw from them proof in support of her Orders in Council, ought certainly not to have been expected.

You remark also, that the practice of the French government to grant licences to certain American vessels, engaged in the trade between the U. States and France, is an additional proof that the French Decrees still operate in their fullest extent. On what principle this inference is drawn from that fact it is impossible for me to conceive. It was not the object of the Berlin and Milan Decrees to prohibit the trade between the U. States and France. They were meant to prohibit the trade of the U. States with G. Britain, which violated our neutral rights, and to prohibit the trade of G. Britain with the continent, with which the U. States have nothing to do. If the object had been to prohibit the trade between the U. States and France, G. Britain could never have found in them any pretext for complaint. And if the idea of retaliation, could in any respect have been applicable, it would have been by prohibiting our trade with herself. To prohibit it with France, would not have been a retaliation, but a co-operation. If licencing by France the trade in certain instances, prove any thing, it proves nothing more than that the trade with France in other instances, is under restraint. It seems impossible to extract from it in any respect, that the Berlin and Milan Decrees are in force, so far as they prohibit the trade between the U. States and England. I might here repeat the French practice of granting licences to trade between the U. States and France, may have been intended in part, at least as a security against the simulated papers; the forging

of which was not suppressed in England. It is not to be inferred from these remarks, that a trade by licence, is one with which the United States are satisfied. They have the strongest objections to it, but these are founded on other principles, than those suggested in your note.

It is a cause of great surprise to the President, that your government has not seen in the correspondence of Mr. Russell, which I had the honor to communicate to you on the 17th of October last, and which has been lately transmitted to you by your government, sufficient proof of the repeal of the Berlin and Milan decrees, independent of the conclusive evidence of the fact, which that correspondence afforded; it was not to be presumed from the intimation of the Marquis of Wellesley, that it was to be transmitted to you, to be taken into consideration in the depending discussions, that it was of a nature to have no weight in these discussions.

The demand which you now make of a view of the order given by the French government to its cruizers, in consequence of the repeal of the French Decrees, is a new proof of its indisposition to repeal the Orders in Council. The declaration of the French government was, as has been heretofore observed, a solemn and obligatory act, and as such entitled to the notice and respect of other governments. It was incumbent on G. Britain, therefore, in fulfilment of her engagement, to have provided that her Orders in Council should not have effect, after the time fixed for the cessation of the French Decrees. A pretension in G. Britain to keep her Orders in force till she received satisfaction of the practical compliance of France, is utterly incompatible with her pledge. A doubt, founded on any single act however unauthorised, committed by a French privateer, might on that principle, become a motive for delay and refusal. A suspicion that such acts would be committed might have the same effect; and in like manner her compliance might be withheld as long as the war continued. But let me here remark, that if there was room for a question, whether the French repeal did or did not take effect, at the date announced by France, and required by the U. States, it cannot be ailedged that the Decrees have not ceased to operate since the 2d of Febuary last, as heretofore observed. And as the actual cessation of the Decrees to violate our neutral rights, was the only essential

fact in the case, and has long been known to your government, the Orders in Council, from the date of that knowledge, ought to have ceased, according to its own principles and pledges.

But the question whether and when the repeal of the Berlin and Milan Decrees took effect in relation to the neutral commerce of the U. States, is superceded by the novel and extraordinary claim of G. Britain to a trade in British articles, with her enemy ; for supposing the repeal to have taken place, in the fullest extent claimed by the U. States, it could, according to that claim, have no effect in removing the Orders in Council.

On a full view of the conduct of the British government in these transactions, it is impossible to see in it any thing short of a spirit of determined hostility to the rights and interests of the U. States.—It issued the Orders in Council, on a principle of retaliation on France, at a time when it admitted the French Decrees to be ineffectual ; it has sustained those Orders in full force since, notwithstanding the pretext for them has been removed, and latterly it has added a new condition of their repeal, to be performed by France, to which the U. States in their neutral character, have no claim, and could not demand, without departing from their neutrality, a condition which, in respect to the commerce of other nations with G. Britain, is repugnant to her own policy, and prohibited by her own laws, and which can never be enforced on any nation without a subversion of its sovereignty and independence.

I have the honor to be, &c.

JAMES MONROE.

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## CHAPTER III.

### PRESIDENT'S MANIFESTO.

*To the Senate and House of Representatives of the U. States.*

I communicate to Congress certain documents, being a continuation of those heretofore laid before them, on the subject, of our affairs with G. Britain.

Without going back beyond the renewal in 1803, of the war in which G. Britain is engaged, and omitting unrepai-  
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wrongs of inferior magnitude, the conduct of her government presents a series of acts hostile to the U. States as an independant and neutral nation.

British cruizers have been in the continued practice of violating the American flag, on the great highway of nations, and of seizing and carrying off persons sailing under it : not in the exercise of a belligerent right, founded on the law of nations against an enemy, but of a municipal prerogative over British subjects. British jurisdiction is thus extended to neutral vessels in a situation where no laws can operate, but the law of nations and the laws of the country to which the vessels belong ; and a self-redress is assumed, which, if British subjects were wrongfully detained and alone concerned, is that substitution of force for a resort to the responsible sovereign, which falls within the definition of war. Could the seizure of British subjects, in such cases be regarded, as within the exercise of a belligerent right, the acknowledged laws of war, which forbid an article of captured property to be adjudged, without a regular investigation before a competent tribunal, would imperiously demand the fairest trial where the sacred rights of persons were at issue. In place of such a trial, these rights are subjected to the will of every petty commander.

The practice, hence, is so far from affecting British subjects alone, that under the pretext of searching for these, thousands of American citizens, under the safe-guard of public law, and of their national flag, have been torn from their country, and from every thing dear to them ; have been dragged on board ships of war of a foreign nation, and exposed under the severities of their discipline, to be exiled to the most distant and deadly climes, to risk their lives in the battles of their oppressors, and to be the melancholy instruments of taking away those of their own brethren.

Against this crying enormity, which G. Britain would be so prompt to avenge if committed against herself, the U. States have in vain exhausted remonstrances and expostulations. And that no proof might be wanting of their conciliatory dispositions, and no pretext left for the continuance of the practice, the British government was formally assured of the readiness of the United States to enter into arrangements, such as could not be rejected, if the recovery of British subjects were the real and the sole object. The communication passed without effect.

British cruizers have been in the practice also of violating the rights and the peace of our coasts. They hover over and harrass our entering and departing commerce. To the most insulting pretensions they have added the most lawless proceedings in our very harbors ; and have wantonly spilt American blood within the sanctuary of our territorial jurisdiction. The principles and rules enforced by that nation, when a neutral nation, against armed vessels of belligerents, hovering near her coasts, and disturbing her commerce, are well known. When called on nevertheless, by the U. States, to punish the greater offences committed by her own vessels, her government has bestowed on their commanders additional marks of honor and confidence.

Under pretended blockades, without the presence of an adequate force, and sometimes without the practicability of applying one, our commerce has been plundered in every sea : the great staples of our country have been cut off from their legitimate markets ; and a destructive blow aimed at our agricultural and maritime interests. In aggravation of these predatory measures, they have been considered as in force from the dates of their notification ; a retrospective effect being thus added, as has been done in other important cases, to the unlawfulness of the course pursued. And to render the outrage the more signal, these mock blockades have been reiterated and enforced in the face of official communications from the British government, declaring as the true definition of a legal blockade, ' that particular ports must be actually invested, and previous warning given to vessels bound to them, not to enter.'

Not content with these occasional expedients for laying waste our neutral trade, the cabinet of G. Britain resorted, at length, to the sweeping system of blockades, under the name of the Orders in Council, which has been moulded and managed, as might best suit its political views, its commercial jealousies, or the avidity of British cruizers.

To our remonstrances against the complicated and transcendant injustice of this innovation, the first reply was, that the Orders were reluctantly adopted by G. Britain as a necessary retaliation on Decrees of her enemy, proclaiming a general blockade of the British isles, at a time when the naval force of that enemy dared not to issue from his own ports. She was reminded, without effect, that her own



prior blockade, unsupported by an adequate naval force actually applied and continued, were a bar to this plea: that executed Edicts against millions of our property could not be retaliation on Edicts confessedly impossible to be executed: that retaliation, to be just, should fall on the party setting the guilty example, not on an innocent party, which was not even chargeable with an acquiescence in it.

When deprived of this flimsy veil for a prohibition of our trade with her enemy, by the repeal of his prohibition of our trade with G. Britain, her cabinet, instead of a corresponding repeal, or a practical discontinuance of its Orders, formally avowed a determination to persist in them against the U. States, until the markets of her enemy should be laid open to British products; thus asserting an obligation on a neutral power to require one belligerent to encourage, by its internal regulations, the trade of another belligerent; contradicting her own practice towards all nations in peace, as well as in war; and betraying the insincerity of those professions which inculcated a belief that, having resorted to her Orders with regret, she was anxious to find an occasion for putting an end to them.

Abandoning still more, all respect for the neutral rights of the U. States, and for its own consistency, the British government now demands as pre-requisites to a repeal of its Orders, as they relate to the United States, that a formality should be observed in the repeal of the French Decrees nowise necessary to their termination, nor exemplified by British usage; and that the French repeal, besides including that portion of the Decrees which operates within a territorial jurisdiction, as well as that which operates on the high seas against the commerce of the U. States, should not be a single special repeal in relation to the U. States, but should be extended to whatever neutral nations unconnected with them, that may be affected by those Decrees. And as an additional insult, they are called on for a formal disavowal of the condition and pretensions advanced by the French government, for which the U. States are so far from having made themselves responsible, that, in official explanations, which have been published to the world, and in a correspondence of the American minister at London, with the British minister for foreign affairs, such a responsibility was explicitly and emphatically disclaimed.

It has become indeed sufficiently certain that the commerce of the U. States is to be sacrificed, not as interfering with the belligerent rights of G. Britain, not as supplying the wants of her enemies, which she herself supplies, but as interfering with the monopoly which she covets for her own commerce and navigation. She carries on a war against the lawful commerce of a friend, that she may the better carry on a commerce with an enemy, a commerce, polluted by the forgeries and perjuries which are for the most part the only passports by which it can succeed.

Anxious to make every experiment short of the last resort of injured nations, the U. States have withheld from G. Britain, under successive modifications, the benefits of a free intercourse with their market, the loss of which could not but outweigh the profits accruing from her restrictions of our commerce with other nations. And to entitle these experiments to the more favorable consideration, they were so framed as to enable her to place her adversary under the exclusive operation of them. To these appeals, her government has been equally inflexible, as if willing to make sacrifices of every sort, rather than yield to the claims of justice, or renounce the errors of a false pride. Nay, so far were the attempts carried, to overcome the attachment of the British cabinet to its unjust Edicts, that it received every encouragement, within the competency of the Executive branch of our government, to expect that a repeal of them would be followed by a war between the U. States and France, unless the French Edicts should also be repealed. Even this communication, although silencing for ever the plea of a disposition in the U. States to acquiesce in those Edicts, originally the sole plea for them, received no attention.

If no other proof existed of a predetermination of the British government against a repeal of its Orders, it might be found in the correspondence of the Minister Plenipotentiary of the U. States at London, and the British Secretary for Foreign Affairs in 1810, on the question whether the blockade of May, 1806, was considered as in force, or as not in force. It had been ascertained that the French government, which urged this blockade as the ground of its Berlin Decree, was willing, in the event of its removal, to repeal that Decree; which being followed by alternate re-

peals of the other offensive Edicts, might abolish the whole system on both sides. This inviting opportunity for accomplishing an object so important to the U. States, and professed so often to be the desire of both the belligerents, was made known to the British government. As that government admits that an actual application of an adequate force is necessary to the existence of a legal blockade; and it was notorious, that if such a force had ever been applied, its long discontinuance had annulled the blockade in question, there could be no sufficient objection on the part of G. Britain to a formal revocation of it; and no imaginable objection to a declaration of the fact that the blockade did not exist. The declaration would have been consistent with her avowed principles of blockade, and would have enabled the U. States to demand from France the pledged repeal of her Decrees; either with success, in which case the way would have been opened for a general repeal of the belligerent Edicts; or without success, in which case the U. States would have been justified in turning their measures exclusively against France. The British government would, however, neither rescind the blockade, nor declare its non-existence; nor permit its non-existence to be inferred and affirmed by the American Plenipotentiary. On the contrary, by representing the blockade to be comprehended in the Orders in Council, the U. States were compelled so to regard it in their subsequent proceedings.

There was a period when a favorable change in the policy of the British cabinet was justly considered as established. The minister Plenipotentiary of his Britannic majesty here proposed an adjustment of the differences more immediately endangering the harmony of the two countries. The proposition was accepted with a promptitude and cordiality, corresponding with the invariable professions of this government. A foundation appeared to be laid for a sincere and lasting reconciliation.—The prospect, however, quickly vanished. The whole proceeding was disavowed by the British government, without any explanation which could at that time repress the belief, that the disavowal proceeded from a spirit of hostility to the commercial rights and prosperity of the U. States. And it has since come into proof, that at the very moment when the public minister was holding the language of friendship, and inspiring

confidence in the sincerity of the negotiation with which he was charged. a secret agent of his government was employed in intrigues, having for their object a subversion of our government, and a dismemberment of our happy Union.

In reviewing the conduct of G. Britain towards the U. States, our attention is necessarily drawn to the warfare just renewed by the savages on one of our extensive frontiers ; a warfare, which is known to spare neither age nor sex, and to be distinguished by features peculiarly shocking to humanity. It is difficult to account for the activity and combinations, which have for some time been developing themselves among the tribes, in constant intercourse with British traders and garrisons, without connecting their hostility with that influence ; and without recollecting the authenticated examples of such interpositions, heretofore furnished by the officers and agents of that government.

Such is the spectacle of injuries and indignities which have been heaped on our country ; and such the crisis which its unexampled forbearance and conciliatory efforts have not been able to avert. It might at least have been expected, that an enlightened nation, if less urged by moral obligations, or invited by friendly dispositions on the part of the U. States, would have found in its true interest alone, a sufficient motive to respect their rights, and their tranquility on the high seas ; that an enlarged policy would have favored that free and general circulation of commerce, in which the British nation is at all times interested, and which in times of war is the best alleviation of its calamities to herself, as well as to other belligerents : and more especially that the British cabinet would not, for the sake of a precarious and surreptitious intercourse with hostile markets, have persevered in a course of measures which necessarily put at hazard the invaluable market of a great and growing country, disposed to cultivate the mutual advantages of an active commerce.

Other Councils have prevailed. Our moderation and conciliation have had no other effect than to encourage perseverance, and to enlarge pretensions. We behold our seafaring citizens still the daily victims of lawless violence, committed on the great common highway of nations, even within sight of the country which owes them protection. We behold our vessels freighted with the products of our soil

and industry, or returning with the proceeds of them, wrested from their lawful destinations, confiscated by prize courts, no longer the organs of public law, but the instruments of arbitrary Edicts; and their unfortunate crews dispersed and lost, or forced or inveigled in British ports into British fleets; whilst arguments are employed, in support of these aggressions, which have no foundation but in a principle equally supporting a claim to regulate our external commerce in all cases whatsoever.

We behold, in fine, on the side of G. Britain, a state of war against the U. States, and on the side of the U. States a state of peace towards G. Britain.

Whether the U. States shall continue passive under these progressive usurpations, and these accumulating wrongs; or opposing force to force, in defence of their natural rights, shall commit a just cause into the hands of the Almighty disposer of events; avoiding all connections which might entangle it in the contests or views of other powers, and preserving a constant readiness to concur in an honorable re-establishment of peace and friendship, is a solemn question, which the constitution wisely confides to the legislative Department of the government. In recommending it to their early deliberations, I am happy in the assurance that the decision will be worthy the enlightened and patriotic Councils of a virtuous, a free, and a powerful nation.

Having presented this view of the relations of the U. States with G. Britain and of the solemn alternative growing out of them, I proceed to remark that the communications last made to Congress, on the subject of our relations with France, will have shown that since the revocation of her Decrees as they violated the neutral rights of the U. States, her government has authorised illegal captures, by its privateers and public ships, and that other outrages have been practised on our vessels and citizens. It will have been seen also, that no indemnity had been provided, or satisfactorily pledged, for the extensive spoliations committed under the violent and retrospective orders of the French government against the property of our citizens seized within the jurisdiction of France. I abstain at this time from recommending to the consideration of Congress definitive measures with respect to that nation, in the expectation, that the result of unclosed discussions between our Minister

Plenipotentiary at Paris and the French government will speedily enable Congress to decide, with greater advantage, on the course due to the rights, the interests, and the honor of our country.

JAMES MADISON.

Washington, June 1, 1812.

*The Committee on Foreign Relations to whom was referred the Message of the President of the U. States of the 1st of June, 1812,*

## REPORT—

That after the experience which the U. States have had of the great injustice of the British government towards them, exemplified by so many acts of violence and oppression, it will be more difficult to justify to the impartial world their patient forbearance, than the measure to which it has become necessary to resort, to avenge the wrongs, and vindicate the rights and honor of the nation. Your committee are happy to observe on a dispassionate review of the conduct of the U. States, that they see in it no cause for censure.

If a long forbearance under injuries ought ever to be considered a virtue in any nation, it is one which peculiarly becomes the U. States. No people ever had stronger motives to cherish peace—none have ever cherished it with greater sincerity and zeal.

But the period has now arrived, when the U. States must support their character and station among the nations of the earth, or submit to the most shameful degradation. Forbearance has ceased to be a virtue. War on the one side, and peace on the other, is a situation as ruinous as it is disgraceful. The mad ambition, the lust of power, and commercial avarice of G. Britain, arrogating to herself the complete dominion of the ocean, and exercising over it an unbounded and lawless tyranny, have left to neutral nations an alternative only, between the base surrender of their rights, and a manly vindication of them. Happily for the U. States, their destiny, under the aid of heaven, is in their own hands. The crisis is formidable only by their love of peace. As soon as it becomes a duty to relinquish that situation, danger disappears. They have suffered no wrongs, they have received no insults, however great, for which they cannot obtain redress.

More than seven years have elapsed, since the commencement of this system of hostile aggression by the British government, on the rights and interests of the U. States. The manner of its commencement was not less hostile, than the spirit with which it has been prosecuted. The U. States have invariably done every thing in their power to preserve the relations of friendship with G. Britain. Of this disposition they gave a distinguished proof, at the moment when they were made the victims of an opposite policy. The wrongs of the last war had not been forgotten at the commencement of the present one. They warned us of dangers, against which it was sought to provide. As early as the year 1804, the minister of the U. States at London was instructed, to invite the British government to enter into a negociation on all the points on which a collision might arise between the two countries, in the course of the war, and to propose to it an arrangement of their claims on fair and reasonable conditions. The invitation was accepted. A negociation had commenced and was depending, and nothing had occurred to excite a doubt that it would not terminate to the satisfaction of both the parties. It was at this time, and under these circumstances, that an attack was made, by surprise, on an important branch of the American commerce, which affected every part of the U. States, and involved many of their citizens in ruin.

The commerce on which this attack was so unexpectedly made, was between the U. States and the colonies of France, Spain, and other enemies of G. Britain. A commerce just in itself—sanctioned by the example of G. Britain in regard to the trade with her own colonies—sanctioned by a solemn act between the two governments in the last war; and sanctioned by the practice of the British government in the present war, more than two years having then elapsed, without any interference with it.

The injustice of this attack could only be equalled by the absurdity of the pretext alledged for it. It was pretended by the British government, that in case of war, her enemy had no right to modify its colonial regulations, so as to mitigate the calamities of war to the inhabitants of its colonies. This pretension, peculiar to G. Britain, is utterly incompatible with the right of sovereignty, in every independent state. If we recur to the well established and univer-

tally admitted law of nations, we shall find no sanction to it, in that venerable code. The sovereignty of every state is co-extensive with its dominions, and cannot be abrogated, or curtailed in its rights, as to any part, except by conquest. Neutral nations have a right to trade to every port of either belligerent, which is not legally blockaded—and in all articles which are not contraband of war. Such is the absurdity of this pretension, that your committee are aware, especially after the able manner in which it has been heretofore refuted, and exposed, that they would offer an insult to the understanding of the House, if they enlarged on it, and if any thing could add to the high sense of the injustice of the British government in the transaction, it would be the contrast which her conduct exhibits in regard to this trade, and in regard to a similar trade by neutrals with her own colonies. It is known to the world, that G. Britain regulates her own trade, in war and in peace, at home and in her colonies, as she finds for her interest—that in war she relaxes the restraints of her colonial system in favor of the colonies, and that it never was suggested that she had not a right to do it—or that a neutral in taking advantage of the relaxation violated a belligerent right of her enemy—But with G. Britain every thing is lawful. It is only in a trade with her enemies that the U. States can do wrong. With them all trade is unlawful.

In the year 1798, an attack was made by the British government on the same branch of our neutral trade, which had nearly involved the two countries in war. That difference, however, was amicably accommodated. The pretension was withdrawn, and reparation made to the U. States, for the losses which they had suffered by it. It was fair to infer from that arrangement, that the commerce was deemed by the British government lawful, and that it would not be again disturbed.

Had the British government been resolved to contest this trade with neutrals, it was due to the character of the British nation that the decision should be made known to the government of the U. States. The existence of a negotiation which had been invited by our government, for the purpose of preventing differences by an amicable arrangement of their respective pretensions, gave a strong claim to the notification, while it afforded the fairest opportunity for it.



But a very different policy animated the then cabinet of England. The liberal confidence and friendly overtures of the U. States, were taken advantage of to ensnare them. Steady to its purpose, and inflexibly hostile to this country, the British government calmly looked forward to the moment, when it might give the most deadly wound to our interests. A trade, just in itself, which was secured by so many strong and sacred pledges, was considered safe.—Our citizens with their usual industry and enterprise had embarked in it a vast proportion of their shipping, and of their capital, which were at sea, under no other protection than the law of nations, and the confidence which they reposed in the justice and friendship of the British nation. At this period the unexpected blow was given. Many of our vessels were seized, carried into port, and condemned by a tribunal, which, while it professes to respect the law of nations, obeys the mandates of its own government. Hundreds of other vessels were driven from the ocean, and trade itself in a great measure suppressed. The effect produced by this attack on the lawful commerce of the U. States, was such, as might have been expected from a virtuous, independent, and highly injured people. But one sentiment pervaded the whole American nation. No local interests were regarded—no sordid motives felt. Without looking to the parts which suffered most, the invasion of our rights was considered a common cause, and from one extremity of our Union to the other, was heard, the voice of an united people, calling on their government to avenge their wrongs, and vindicate the rights and honor of the country.

From this period the British government has gone on in a continued encroachment on the rights and interest of the U. States, disregarding in its course, in many instances, obligations which have heretofore been held sacred by civilized nations.

In May, 1806, the whole coast of the continent, from the Elbe to Brest, inclusive, was declared to be in a state of blockade. By this act, the well established principles of the law of nations, principles which have served for ages as guides, and fixed the boundary between the rights of belligerents and neutrals, were violated; by the law of nations, as recognized by G. Britain herself, no blockade is lawful, unless it be sustained by the application of an adequate

force, and that an adequate force was applied to this blockade, in its full extent, ought not to be pretended. Whether G. Britain was able to maintain, legally, so extensive a blockade, considering the war in which she is engaged, requiring such extensive naval operations, is a question which is not necessary at this time to examine. It is sufficient to be known, that such force was not applied, and this is evident from the terms of the blockade itself, by which, comparatively, an inconsiderable portion of the coast only was declared to be in a state of strict and rigorous blockade. The objection to the measure is not diminished by that circumstance. If the force was not applied, the blockade was unlawful, from whatever cause the failure might proceed. The belligerent who institutes the blockade, cannot absolve itself from the obligation to apply the force under any pretext whatever. For a belligerent to relax a blockade, which it could not maintain, it would be a refinement in injustice, not less insulting to the understanding, than repugnant to the law of nations. To claim merit for the mitigation of an evil, which the party either had not the power, or found it inconvenient to inflict, would be a new mode of encroaching on neutral rights. Your committee think it just to remark, that this act of the British government does not appear to have been adopted in the sense in which it has been since construed. On consideration of all the circumstances attending the measure, and particularly the character of the distinguished statesman who announced it, we are persuaded that it was conceived in a spirit of conciliation, and intended to lead to an accommodation of all differences between the U. States and G. Britain. His death disappointed that hope, and the act has since become subservient to other purposes. It has been made by his successors, a pretext for that vast system of usurpation, which has so long oppressed and harrassed our commerce.

The next act of the British government which claims our attention is the Orders in Council of Jan. 7, 1807, by which neutral powers are prohibited trading from one port to another of France or her allies, or any other country with which G. Britain might not freely trade. By this order the pretension of England, heretofore claimed by every other power, to prohibit neutrals disposing of parts of their cargoes at

different ports of the same enemy, is revived and with vast accumulation of injury. Every enemy, however great the number or distance from each other, is considered one, and the like trade even with powers at peace with England who, from motives of policy had excluded or restrained her commerce, was also prohibited. In this act the British government evidently disclaimed all regard for neutral rights. Aware that the measures authorised by it could find no pretext in any belligerent right, none was urged. To prohibit the sale of our produce, consisting of innocent articles at any port of a belligerent, not blockaded, to consider every belligerent as one, and subject neutrals to the same restraint with all, as if there was but one, were held encroachments. But to restrain or in any manner interfere with our commerce with neutral nations with whom G. Britain was at peace, and against whom she had no justifiable cause of war, for the sole reason, that they restrained or excluded from their ports her commerce, was utterly incompatible with the pacific relations subsisting between the two countries.

We proceed to bring into view the British Order in Council of November 11th, 1807, which superseded every other order, and consummated that system of hostility on the commerce of the U. States which has been since so steadily pursued. By this Order, all France and her allies and every other country at war with G. Britain, or with which she was not at war, from which the British flag was excluded, and all the colonies of her enemies were subjected to the same restrictions as if they were actually blockaded in the most strict and rigorous manner; and all trade in articles the produce and manufacture of the said countries and colonies, and the vessels engaged in it were subjected to capture and condemnation as lawful prize. To this order certain exceptions were made which we forbear to notice because they were not adopted from a regard to neutral rights, but were dictated by policy to promote the commerce of England, and so far as they related to neutral powers, were said to emanate from the clemency of the British government.

It would be superfluous in your committee to state, that by this order the British government declared direct and positive war against the U. States. The dominion of the

ocean was completely usurped by it, all commerce forbidden, and every flag driven from it, or subjected to capture and condemnation, which did not subserve the policy of the British government by paying it a tribute and sailing under its sanction. From this period the U. States have incurred the heaviest losses, and most mortifying humiliations. They have born the calamities of war without retorting them on its authors.

So far your committee has presented to the view of the House the aggressions which have been committed under the authority of the British government on the commerce of the U. States. We will now proceed to other wrongs which have been still more severely felt. Among these, is the impressment of our seamen, a practice which has been unceasingly maintained by G. Britain in the wars to which she has been a party since our revolution. Your committee cannot convey in adequate terms the deep sense which they entertain of the injustice and oppression of this proceeding. Under the pretext of impressing British seamen, our fellow citizens are seized in British ports, on the high seas, and in every other quarter to which the British power extends, are taken on board British men of war, and compelled to serve there as British subjects. In this mode our citizens are wantonly snatched from their country and their families, deprived of their liberty, and doomed to an ignominious and slavish bondage, compelled to fight the battles of a foreign country, and often to perish in them. Our flag has given them no protection; it has been unceasingly violated, and our vessels exposed to danger by the loss of men taken from them. Your committee need not remark that while the practice is continued, it is impossible for the U. States to consider themselves an independent nation. Every new case is a new proof of their degradation. Its continuance is the more unjustifiable, because the U. States have repeatedly proposed to the British government an arrangement which would secure to it the control of its own people. An exemption of the citizens of the U. States from this degrading oppression, and their flag from violation, is all that they have sought.

This lawless waste of our trade, and equally unlawful impressment of our seamen, have been much aggravated by the insults and indignities attending them. Under the pre-

text of blockading the harbors of France and her allies, British squadrons have been stationed on our own coast, to watch and annoy our own trade. To give effect to the blockade of European ports, the ports and harbors of the U. States have been blockaded. In executing these orders of the British government, or in obeying the spirit which was known to animate it, the commanders of these squadrons have encroached on our jurisdiction, seized our vessels; and carried into effect impressments within our limits, and done other acts of great injustice, violence, and oppression. The U. States have seen, with mingled indignation, and surprise, that these acts, instead of procuring to the perpetrators the punishment due to unauthorised crimes, have not failed to recommend them to the favor of their government.

Whether the British government has contributed by active measures to excite against us the hostility of the savage tribes on our frontiers, your committee are not disposed to occupy much time in investigating. Certain indications of general notoriety may supply the place of authentic documents; though these have not been wanting to establish the fact in some instances. It is known that symptoms of British hostility towards the U. States, have never failed to produce corresponding symptoms among those tribes. It is also well known, that on all such occasions, abundant supplies of the ordinary munitions of war have been afforded by the agents of British commercial companies, and even from British garrisons, wherewith they were enabled to commence that system of savage warfare on our frontiers, which has been at all times indiscriminate in its effect on all ages, sexes, and conditions, and so revolting to humanity.

Your committee would be much gratified if they could close here the detail of British wrongs—but it is their duty to recite another act of still greater malignity, than any of those which have been already brought to your view. The attempt to dismember our Union, and overthrow our excellent Constitution, by a secret mission, the object of which was to foment discontent and excite insurrection against the constituted authorities and laws of the nation, as lately disclosed by the agent employed in it, affords full proof that there is no bound to the hostility of the British government.

towards the United States—no act, however unjustifiable, which it would not commit, to accomplish their ruin. This attempt excites the greater horror from the consideration that it was made while the U. States and G. Britain were at peace, and an amicable negotiation was depending between them for the accommodation of their differences, through public ministers, regularly authorised for the purpose.

The U. States have beheld, with unexampled forbearance, this continued series of hostile encroachments on their rights and interests, in the hope, that, yielding to the force of friendly remonstrances, often repeated, the British government might adopt a more just policy towards them; but that hope no longer exists. They have also weighed impartially the reasons which have been urged by the British government in vindication of these encroachments, and found in them neither justification or apology.

The British government has alledged in vindication of the Orders in Council, that they were resorted to as a retaliation on France, for similar aggressions committed by her on our neutral trade with the British dominions. But how has this plea been supported? The dates of British and French aggressions are well known to the world. Their origin and progress have been marked with too wide and destructive a waste of the property of our fellow citizens to have been forgotten. The Berlin Decree, of Nov. 21, 1806, was the first aggression of France, in the present war. Eighteen months had then elapsed, after the attack made by G. Britain on our neutral trade with the colonies of France and her allies, and six months from the date of the proclamation of May, 1806. Even on Jan. 7, 1807, the date of the first British Order in Council, so short a term had elapsed, after the Berlin Decree, that it was hardly possible that the intelligence of it should have reached the U. States. A retaliation, which is to produce its effect, by operating on a neutral power, ought not to be resorted to, till the neutral had justified it by a culpable acquiescence in the unlawful act of the other belligerent. It ought to be delayed until after sufficient time had been allowed to the neutral to remonstrate against the measure complained of, to receive an answer, and act on it, which had not been done in the present instance; and when the Order of Nov. 11, was issued, it is well known that a minister of France had

declared to the minister plenipotentiary of the U. States at Paris, that it was not intended that the Decree of Berlin should apply to the U. States. It is equally well known that no American vessel had then been condemned under it, or seizure been made, with which the British government was acquainted. The facts prove incontestibly, that the measures of France, however unjustifiable in themselves, were nothing more than a pretext for those of England. And of the insufficiency of that pretext, ample proof has already been afforded by the British government itself, and in the most impressive form. Although it was declared that the Orders in Council were retaliatory on France for her Decrees, it was also declared, and in the Orders themselves, that owing to the superiority of the British navy, by which the fleets of France and her allies were confined within their own ports, the French Decrees were considered only as empty threats.

It is no justification of the wrongs of one power, that the like were committed by another; nor ought the fact, if true, to have been urged by either, as it could afford no proof of its love of justice, of its magnanimity, or even of its courage. It is more worthy the government of a great nation, to relieve than to assail the injured. Nor can a repetition of the wrongs by another power, repair the violated rights, or wounded honor, of the injured party. An utter inability alone to resist, would justify a quiet surrender of our rights, and degrading submission to the will of others.

To that condition the United States are not reduced; nor do they fear it. That they ever consented to discuss with either, the misconduct of the other, is a proof of their love of peace, of their moderation, and of the hope which they still indulged, that friendly appeals to just and generous sentiments, would not be made to them in vain. But the motive was mistaken, if their forbearance was imputed, either to the want of a just sensibility to their wrongs, or of a determination, if suitable redress was not obtained, to resent them. The time has now arrived when this system of reasoning must cease. It would be insulting to repeat it. It would be degrading to hear it. The U. States must act as an independent nation, and assert their rights, and avenge their wrongs, according to their own estimate of them, with the party who commits them, hold-

ing it responsible for its own misdeeds, unmitigated by those of another.

For the difference made between G. Britain and France, by the application of the non-importation act against England only, the motive has been already too often explained, and is too well known to require further illustration. In the commercial restrictions to which the U. States resorted as an evidence of their sensibility, and a mild retaliation of their wrongs, they invariably placed both powers on the same footing, holding to each in respect to itself, the same accommodation, in case it accepted the condition offered; and in respect to the other, the same restraint, if it refused. Had the British government confirmed the arrangement which was entered into with the British minister in 1809, and France maintained her Decrees, with France would the U. States have had to resist, with the firmness belonging to their character, the continued violation of their rights. The committee do not hesitate to declare, that France has greatly injured the U. States, and that satisfactory reparation has not been made for many of those injuries. But, that is a concern which the U. States will look to and settle for themselves. The high character of the American people, is a sufficient pledge to the world, that they will not fail to settle it, on conditions which they have a right to claim.

More recently, the true policy of the British government towards the U. States has been completely unfolded. It has been publicly declared by those in power, that the Orders in Council should not be repealed, until the French government had revoked all its internal restraints on the British commerce, and that the trade of the U. States, with France and her allies, should be prohibited until G. Britain was also allowed to trade with them. By this declaration, it appears, that to satisfy the pretensions of the British government, the U. States must join G. Britain in the war with France, and prosecute the war, until France should be subdued, for without her subjugation, it were in vain to presume on such a concession. The hostility of the British government has been still farther disclosed. It has been made manifest that the U. States are considered by it as the commercial rival of G. Britain, and that their prosperity and growth are incompatible with their welfare.



When all these circumstances are taken into consideration, it is impossible for your committee to doubt the motives which have governed the British ministry in all its measures towards the U. States since the year 1805. Equally is it impossible to doubt, longer, the course which the U. States ought to pursue towards G. Britain.

From this view of the multiplied wrongs of the British government since the commencement of the present war, it must be evident to the impartial world, that the contest which is now forced on the U. States, is radically a contest for their sovereignty and independence. Your committee will not enlarge on any of the injuries, however great, which have had a transitory effect. They wish to call the attention of the House to those of a permanent nature only, which intrench so deeply on our most important rights, and wound so extensively and vitally our best interests, as could not fail to deprive the U. States of the principal advantages of their revolution, if submitted to. The control of our commerce by G. Britain, in regulating it at pleasure, and almost expelling it from the ocean; the oppressive manner in which these regulations have been carried into effect, by seizing and confiscating such of our vessels with their cargoes, as were said to have violated her edicts, often without previous warning of their danger; the impressment of our citizens from on board our own vessels, on the high seas, and elsewhere, and holding them in bondage until it suited the convenience of their oppressors to deliver them up, are encroachments of that high and dangerous tendency which could not fail to produce that pernicious effect, nor would those be the only consequences that would result from it. The British government might for a while, be satisfied with the ascendancy thus gained over us, but its pretensions would soon increase. The proof which so complete and disgraceful a submission to its authority, would afford of our degeneracy, could not fail to inspire confidence, that there was no limit to which its usurpations, and our degradations might not be carried.

Your committee, believing that the freeborn sons of America are worthy to enjoy the liberty which their fathers purchased at the price of so much blood and treasure, and seeing, in the measures adopted by G. Britain, a course commenced and persisted in, which might lead to a loss of national character and independence, feel no hesitation in

advising resistance by force, in which the Americans of the present day will prove to the enemy and the world that we have not only inherited that liberty which our farthers gave us, but also the will and power to maintain it. Relying on the patriotism of the nation, and confidently trusting that the Lord of Hosts will go with us to battle in a righteous cause, and crown our efforts with success—your committee recommend an appeal to ARMS.

Soon after the above Report was read, Mr Calhoun, one of the Committee of Foreign Relations, on leave being given, presented the following Bill, declaring war between Great-Britain and her dependencies, and the United States and their territories ; which, after several day's debate, passed the Senate and House of Representatives, and was approved by the President, on the 18th day of June.

#### AN ACT,

*Declaring War between the United Kingdom of Great-Britain and Ireland, and the dependencies thereof, and the United States of America, and their Territories.*

BE IT ENACTED by the Senate and House of Representatives of the United States of America, in Congress Assembled, That WAR be, and the same is hereby declared to exist, between the United Kingdom of Great-Britain and Ireland and the dependencies thereof, and the United States of America and their Territories : and that the President of the United States be, and he is hereby authorised to use the whole land and naval force of the United States, to carry the same into effect, and to issue to private armed vessels of the United States, commissions, or letters of marque and general reprisal, in such form as he shall think proper, and under the Seal of the United States, against the vessels, goods, and effects of the government of the same United Kingdom of Great-Britain and Ireland, and the subjects thereof.

Approved.  
June 18, 1812.

JAMES MADISON.

*Yeas and Nays on the above Bill.*

IN THE SENATE.

Yeas 19. —Nays 13.

IN THE HOUSE OF REPRESENTATIVES.

*New-Hampshire*—Yeas, Dinsmore, Hall, and Harper, 3  
—Nays, Bartlett and Sullivan, 2.

*Massachusetts*—Yeas, Seaver, Carr, Green, Richardson, Turner, and Widgery, 6—Nays, Quincy, Reed, Taggart, Ely, Brigham, White, Tallman, and Wheaton, 8.

*Rhode-Island*—None—Nays, Potter and Jackson, 2.

*Vermont*—Yeas, Fisk, Shaw, and Strong, 3—Nays, Chittenden, 1.

*Connecticut*—None—Nays, Sturges, Davenport, Moseley, Champion, Tallmadge, Pitkin, and Law, 7.

*New-York*—Yeas, Pond, Avery, and Sage, 3—Nays, Bleecker, Emott, Cooke, Fitch, Gold, Sammons, Stow, Tracy, Van Cortlandt, Mitchell, and Metcalf, 11.

*New-Jersey*—Yeas, Condit, and Morgan, 2—Nays, Boyd, Hufty, Maxwell, and Newbold, 4.

*Pennsylvania*—Yeas, Seybert, Anderson, Brown, Roberts, Findley, Smilie, Lyle, Whitehill, Bard, Davis, Leffevre, Hyneman, Piper, Lacock, Crawford, and Smith, 16—Nays, Milnor, and Rodman, 2.

*Delaware*—None—Nays, Ridgely, 1.

*Maryland*—Yeas, Kent, Little, M'Kim, Ringgold, Brown, and Archer, 6—Nays, Key, Goldsborough, and Stuart, 3.

*Virginia*—Yeas, Nelson, Gholson, Goodwyn, Newton, Taliaferro, Dawson, Bassett, Smith, Hawes, Roane, M'Koy, Pleasants, Clopton, and Barwell, 14—Nays, Randolph, Lewis, Baker, Breckenridge, and Wilson, 5.

*North-Carolina*—Yeas, Alston, Blackledge, Macon, King, Cochran, and Pickens, 6—Nays, Pearson, M'Bryde, and Stanford, 3.

*South-Carolina*—Yeas, Williams, Cheves, Lowndes, Butler, Calhoun, Earle, Winn, and Moore, 8—Nays, None.

*Georgia*—Yeas, Troup, Bibb, and Hall, 3—Nays, None.

*Kentucky*—Yeas, Johnson, Desha, New, M'Kee, and Ormsby, 5—Nays, None.

*Tennessee*—Yeas, Rhea, Grundy, and Sevier, 3—Nays, None.

*Ohio*, Yeas, Morrow, 1—Nays, None.

Yeas, 98—Nays 62—Majority 36.

The Declaration of War, was announced the day after its passage, by the President's Proclamation, of which the following is a copy :—

BY THE PRESIDENT OF THE  
UNITED STATES OF AMERICA.  
**A PROCLAMATION.**

WHEREAS the Congress of the U. States, by virtue of the constituted authority vested in them, have declared by their act, bearing date the eighteenth day of the present month, that WAR exists between the United Kingdom of G. Britain and Ireland, and the dependencies thereof, and the U. States of America, and their Territories: Now, therefore, I, JAMES MADISON, President of the U. States of America, do hereby proclaim the same to all whom it may concern; and I do specially enjoin on all persons holding offices, civil or military, under the authority of the United States, that they be vigilant and zealous in discharging the duties respectively incident thereto: and I do moreover exhort all the good people of the United States, as they love their country; as they value the precious heritage derived from the virtue and valor of their fathers; as they feel the wrongs which have forced on them the last resort of injured nations; and as they consult the best means, under the blessing of Divine Providence, of abridging its calamities; that they exert themselves in preserving order, in promoting concord, in maintaining the authority and efficacy of the laws, and in supporting and invigorating all the measures which may be adopted by the constituted authorities, for obtaining a speedy, a just, and an honorable peace.

IN TESTIMONY WHEREOF I have hereunto set my hand, and caused the seal of the United States to be affixed to these presents.

(SEAL)

DONE at the City of Washington, the nineteenth day of June, one thousand eight hundred and twelve, and of the Independence of the United States the thirty sixth.

(Signed)

JAMES MADISON.

*By the President,*

(Signed)

JAMES MONROE,  
*Secretary of State.*

## CHAPTER IV.

### THE FIRST PRISONER,

Was taken in Norfok, Virginia.—A gentleman, by the name of *Wilkinson*, arrived in that place about the first of June, and put up at the British Consul's. The citizens suspected him to be a British officer, and accordingly kept an eye upon him. On the receipt of the Declaration of War, *Wilkinson*, as the mail boat was about to depart, was seen to make a precipitate retreat through the *back street*, which led from the Consul's to the wharf, where the boat lay, when he sprang on board, darted into the cabin, and in a few seconds was under way. It was known that a man of war was hovering on the coast, and his intention was to communicate the declaration of war to her. Boats, from the navy yard and fort Nelson, were immediately dispatched, which succeeded in taking *Wilkinson*. He proved to be a captain in the Royal Marines.

### THE FIRST PRIZE.

Was the schooner *Patriot*, J. A. Brown, Master, from Guadaloupe, bound to Halifax, with a valuable cargo of sugar, taken by the revenue cutter *Jefferson*, Wm. Ham, Master, and arrived at Norfolk, June 26.

### MESSAGE,

*To the Senate and House of Representatives of the United States.*

I transmit, for the information of Congress, copies of letters which have passed between the Secretary of State, and the Envoy Extraordinary and minister Plenipotentiary of Great-Britain.

JAMES MADISON.

June 15, 1812.

*Mr. Foster to Mr. Monroe.*

WASHINGTON, June 10, 1812.

SIR—It has been extremely satisfactory to me, to find by your letter dated June 6th, which I had the honor to receive yesterday morning, that it was not the wish of the American government to close all further discussion relative to the important questions at issue, between the two

countries. I beg you to be assured, sir, that it never was my intention, in alluding to my letters which had remained without answer at your office, to use any expressions which could, in the most remote manner, contain any thing personal. I shall ever be ready with pleasure to bear testimony to that frankness, candor, and good temper, which so eminently distinguish you, and have been acknowledged to belong to you, by all who have ever had the honor to discuss with you any question of public interest.

But, sir, although you were not backward in entering into full explanations with me verbally, I could not but feel, particularly as I had just had communications to make to you of the greatest importance, that I had a right to expect from you a written reply to them ; and while I remembered that two of my former notes were still unanswered, the one written three months ago, containing among other important topics, a particular question which I was expressly instructed to put to you, as to whether you could point to any public act, on the part of the French government, by which they had really revoked their Decrees, and the other furnishing strong evidence of the continued existence of those very Decrees ; also, when I perceived that my note, communicating the duke of Bassano's report, which you knew was to be sent to you on the 1st inst. was not waited for, but that a message was transmitted by the Executive to Congress, which it seems contained a reference to an insulated passage in the despatch on which my note was founded, that if taken unconnected with what preceded or followed, it might be liable to misconstruction, I could not avoid apprehending that no means of further explanation might be left open to me.

I beg you to be assured sir, that if I was embarrassed by your demands of an explanation as to what appeared to you to be a difference between lord Castlereagh's despatch, communicated to you, and my note, it arose from the novelty of the demand, that seemed to involve an informality of proceeding, in which I could not feel myself justified in acquiescing. Had you, in making a reply to my communication, asked me how far a repeal of the French Decrees was demanded by my government, and as to whether a special repeal, as far as respected America, would be sufficient, I should have had no hesitation in giving you every satisfaction.

You note of the 6th instant has, by shewing that the door was not absolutely shut to a continuance of our discussion, relieved me from further difficulty on this point.

I have no hesitation, sir, in saying that Great-Britain, as the case has hitherto stood, never did, nor never could engage, without the grossest injustice to herself and her allies, as well as to other neutral nations, to repeal her Orders as affecting America alone, leaving them in force against other states, upon condition that France would except, singly and specially, America, from the operation of her Decrees. You will recollect, sir, that the Orders in Council are measures of defence, directed against the system contained in those Decrees; that it is a war of trade which is carried on by France; that what you call the municipal regulations of France, have never been called municipal by France herself, but are her main engines in that novel and monstrous system. It cannot, then, be expected that Great-Britain should renounce her efforts to throw back upon France the evils with which she menaces Great-Britain, merely because France might seek to alleviate her own situation by waving the exercise of that part of her system which she cannot enforce.

But, sir, to what purpose argue upon a supposed case; upon a state of things not likely to occur, since the late report and senatus consultum which have been published to the world, as it were, insultingly in the face of those who would contend that any repeal whatever had taken place, of the Decrees in question.

You draw a comparison between the mode in which this instrument has appeared; and that which you call the high evidence of the repeal as stated in Mr. Champagny's note: and it would almost seem as if you considered the latter as the most authentic of the two; but, sir, you cannot seriously contend that the duke of Bassano's report, with the senatus consultum accompanying it, published in the official paper at Paris, is not a very different instrument from the above letter, offering a mere provisional repeal of the Decrees, upon conditions utterly inadmissible: conditions too, which really formed of themselves a question of paramount importance.

The condition then demanded, and which was brought forward so unexpectedly, was a repeal of the blockade of

May, 1806, which Mr. Pinkney, in the letter you have referred me to, declared to have been required by America as indispensable in the view of her acts of intercourse and non-intercourse, as well as a repeal of other blockades of a similar character, which were maintained by G. Britain, to be founded on strict maritime rights.

The conditions now annexed to the French demand are much more extensive, and as I have shewn, includes a surrender of many other of the most established principles of the public law of nations.

I cannot, I confess, see upon what ground you contend that the report of the duke of Bassano, affords no proof against any partial repeal of the French Decrees. The principles advanced in that report are general; there is no exception made in favor of America, and in the correspondence of Mr. Barlow, as officially published, he seems to allow that he had no explanation respecting it. How can it, therefore, be considered in any other light than as a republication of the Decrees themselves? which, as it were to take away all ground for any doubt, expressly advances a doctrine that can only be put in practice on the high seas, namely, 'that free ships shall make free goods,' since the application of such a principle to vessels in port is absolutely rejected under his continental system.

It is, indeed, impossible to see how, under such circumstances, America can call upon G. Britain to revoke her Orders in Council. It is impossible that she can revoke them at this moment, in common justice to herself and to her allies; but, sir, while under the necessity of continuing them, she will be ready to manage their exercise, so as to alleviate as much as possible, the pressure upon America; and it would give me great pleasure to confer with you, at any time, upon the most advisable manner of producing that effect. I have the honor to be, &c.

AUGUSTUS J. FOSTER.

*Mr. Monroe to Mr. Foster.*

DEPARTMENT OF STATE, June 13, 1812.

SIR—I am not aware that any letter of yours, on any subject, on which the final decision of this government had not been communicated to you, has been suffered to remain without a prompt and written answer; and even in the



cases thus supposed to have been settled, which you thought proper to revive, although no favorable change had taken place in the policy or measures of your government, I have never failed to explain to you informally, in early interviews, the reasons which made it impetuously the duty of the U. States to continue to afford, to their rights and interests, all the protection in their power. The acknowledgment of this on your part, was due to the frankness of the communications which have passed between us on the highly important subjects on which we have treated, and I am happy to find by your letter of the 10th inst. that in relying on it, I have not been disappointed.

The impropriety of the demand made by your government of a copy of the instrument of instructions given by the French government to its cruisers, after the repeal of the Berlin and Milan Decrees, was sufficiently shown in Mr. Pinkney's letter to the Marquis of Wellesley of the 10th of December, 1810, and in my letters to you of the 23d July 1811, and 14th January last. It was for this reason that I thought it more suitable to refer you to those letters, for the answer to that demand, than to repeat it in a formal communication.

It excites, however no small surprise, that you should continue to demand a copy of that instrument, or any new proof of the repeal of the French Decrees, at the very time that you declare that the proof which you demand, in the extent to which we have a right to claim the repeal, would not, if afforded, obtain a corresponding repeal of the Orders in Council. This demand is the more extraordinary, when it is considered, that since the repeal of the Decrees, as it respects the U. States, was announced, your government has enlarged its pretensions, as to the conditions on which the Orders in Council should be repealed, and even invigorated its practice under them.

It is satisfactory to find that there has been no misapprehension of the condition, without which your government refuses to repeal the Orders in Council. You admit that to obtain their repeal, in respect to the U. States, the repeal of the French Decrees must be absolute and unconditional; not as to the U. States only, but to all other neutral nations; nor as far as they affect neutral commerce only, but as they operate internally and affect the trade in British manufac-

tures with the enemies of G. Britain. As the Orders in Council have formed a principal cause of the differences which unhappily exist between our countries, a condition of their repeal, communicated in any authentic document or manner, was entitled to particular attention; and surely none could have so high a claim to it, as the letter from Lord Castlereagh to you, submitted by his authority to my view, for the express purpose of making that condition, with its other contents, known to this government.

With this knowledge of the determination of your government, to say nothing of the other conditions annexed to the repeal of the Orders in Council, it is impossible for me to devise or conceive any arrangement consistent with the honor, the rights and interests of the U. States, that could be made the basis or become the result of a conference on the subject. As the President nevertheless retains his solicitude to see a happy termination of any differences between the two countries, and wishes that every opportunity, however unpromising, which may possibly lead to it, should be taken advantage of, I have the honor to inform you that I am ready to receive and pay due attention to any communication or propositions, having the object in view, which you may be authorised to make.

Under existing circumstances, it is deemed most advisable, in every respect, that this should be done in writing, as most susceptible of the requisite precision, and least liable to misapprehension. Allow me to add, that it is equally desirable that it should be done without delay. By this it is not meant to preclude any additional opportunity which may be afforded by a personal interview. I have the honor to be, &c.

JAMES MONROE.

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*Mr. Foster to Mr. Monroe.*

WASHINGTON, June 14, 1812.

SIR—I have the honor to acknowledge the receipt of your letter of the 13th. instant.

It is really quite painful to me to perceive, that notwithstanding the length of the discussions which have taken place between us, misapprehensions have again arisen respecting some of the most important features in the questions at issue between our two countries; which misapprehensions, perhaps, proceeding from my not expressing myself

sufficiently clear in my note of the 10th inst. in relation to one of those questions, it is absolutely necessary should be done away.

I beg leave again to state to you, sir, that it is not the operation of the French Decrees upon the British trade with the enemies of G. Britain, that has ever formed a subject of discussion between us, and that it is the operation of those Decrees upon G. Britain, through neutral commerce only, which has really been the point at issue. Had America resisted the effect of those Decrees in their full extent upon her neutral rights, we should never have had a difference upon the subject; but while French cruizers continue to capture her ships under their operation, she seems to have been satisfied if those ships were released by special imperial mandates, issued as the occasion arose; and she has chosen to call municipal an unexampled assumption of authority by France, in countries not under French jurisdiction, and expressly invaded for the purpose of preventing their trade with England, on principles directly applicable to, if they could be enforced against America.

I beg you to recollect, sir, that if no revocation had been made of the Orders in Council, upon any repeal of the French Decrees, as hitherto shown by America to have taken place, it has not been the fault of his majesty's government. It was France, and afterwards America, that connected the question relative to the right of blockade with that arising out of the Orders in Council. You well know that if these two questions had not been united together, the Orders in Council would have been, in 1810, revoked. How could it be expected that G. Britain, in common justice to other neutral nations, to her allies, and to herself, should not contend for a full and absolute repeal of the French Decrees, or should engage to make any particular concession in favor of America, when she saw that America would not renounce her demand for a surrender with the Orders in Council of some of our most important maritime rights.

Even to this day, sir, you have not explicitly stated in any of the letters to which you refer me that the American government would expressly renounce asking for a revocation of the blockade of May, 1806, and the other blockade alluded to in Mr. Pinkney's letter; much less have I been

able to obtain from you any disclaimer of the rights asserted by France to impose upon the world the new maritime code promulgated by France in the late republication of her Decrees, although I have, by order of my government, expressly stated their expectation of such disclaimer, and repeatedly called for an explanation on this point.

I will now say that I feel entirely authorized to assure you that if you can, at any time, produce a full and unconditional repeal of the French Decrees, as you have a right to demand it in your character of a neutral nation, and that it be disengaged from any connection with the question concerning our maritime rights, we shall be ready to meet you with a revocation of the Orders in Council. Previous to your producing such an instrument, which I am sorry to see you regard as unnecessary, you cannot expect of us to give up our Orders in Council.

In reference to the concluding paragraph of your letter in answer to that in mine of the 10th inst. I will only say, that I am extremely sorry to find you think it impossible to devise or conceive any arrangement consistent with the honor, rights, and interests, of the U. States, which might tend to alleviate the pressure of the Orders in Council on the commerce of America. It would have given me great satisfaction if we could have fallen upon some agreement that might have had such effect. My government, while under the imperious necessity of resisting France with her own weapons, most earnestly desires that the interest of America may suffer as little as possible from the incidental effect of the conflict. They are aware that their retaliatory measures have forced the ruler of France to yield in some degree from his hostile Decrees, and whether it were more advisable to push those measures rigorously on until they complete the breaking of it up altogether, (the main object of our retaliatory system) or to take advantage of the partial and progressive retractions of it, produced by the necessities of the enemy, has been a question with his majesty's government. It is one on which they would have been most desirous to consult the interest of America. Under existing circumstances, however, and from our late communications, I have not felt encouraged to make you any written proposal arising out of this state of things; I shall, therefore, merely again express to you, that as the object of

G. Britain has been throughout to endeavor, while forced, in behalf of her most important rights and interest to retaliate upon the French Decrees, to combine that retaliation with the greatest possible degree of attention to the interest of America, it would give his majesty's government the most sincere satisfaction if some arrangement could be found which would have so desirable an effect.

I have the honor to be, &c.

AUGUSTUS J. FOSTER.

MESSAGE,

*To the Senate and House of Representatives of the U. States.*

I communicate to Congress copies of a letter to the Secretary of State, from the charge d'affairs of the U. States at London, and of a note to him from the British Secretary for foreign affairs.

JAMES MADISON,

June 22, 1812.

*Mr. Russell to the Secretary of State.*

LONDON, May 2, 1812.

SIR—After closing the duplicate of my letter to you of the 26th ult. I discovered the copy of the note of lord Castlereagh to me of the 21st ult. had been left out by mistake. I take the liberty of now handing it to you.

JONATHAN RUSSELL.

[Enclosed in the above.]

The undersigned, his majesty's principal Secretary of State for foreign affairs, is commanded by his royal highness, the prince regent, to transmit to Mr. Russell, charge d'affairs of the government of the U. States of America, the enclosed copy of a Declaration accompanying an Order in Council which has been this day passed by his royal highness, the prince regent in Council.

The undersigned is commanded by the prince regent to request that Mr. Russell, in making this communication to his government, will represent this measure as conceived in the true spirit of conciliation, and with a due regard, on the part of his royal highness, to the honor and interest of the U. States; and the undersigned ventures to express his confident hope, that this decisive proof of the amicable

sentiments which animate the councils of his royal highness towards America, may accelerate the return of amity, and mutual confidence between Great-Britain and the United States.

The undersigned avails himself of this opportunity to repeat to Mr. Russell the assurances of his high consideration.

CASTLEREAGH.

*Foreign Office, April 21, 1812.*

### ORDER IN COUNCIL.

At the Court at Carlton-House, the 21st day of April, 1812, present his royal highness the prince regent in Council.

Whereas the government of France has, by an official report, communicated by its minister of foreign affairs to the conservative Senate, on the 10th of March last, removed all doubts as to the perseverance of that government in the assertion of principles, and in the maintainance of a system, not more hostile to the maritime rights and commercial interest of the British empire, than inconsistent with the rights and independence of neutral nations, and has thereby plainly developed the inordinate pretensions which that system, as promulgated in the Decrees of Berlin and Milan, was from the first designed to enforce.

And whereas his majesty has invariably professed his readiness to revoke the Orders in Council adopted thereupon, as soon as the said Decrees of the enemy should be formally and unconditionally repealed, and the commerce of neutral nations restored to its accustomed course :

His royal highness the prince regent (anxious to give the most decisive proof of his royal highness' disposition to perform the engagements of his majesty's government) is pleased, in the name and on the behalf of his majesty, and by and with the advice of his majesty's privy Council, to order and declare, and it is hereby ordered and declared, that if, at any time hereafter, the Berlin and Milan Decrees shall by some authentic act of the French government, publicly promulgated, be absolutely and unconditionally repealed, then, and from thenceforth, the Order in Council of the 7th day of January, 1807, and the Order in Council of the 26th day of April, 1809, shall, without any further order, be, and the same are hereby declared from thenceforth to be wholly and absolutely revoked : and further, that the

full benefit of this order shall be extended to any ship or cargo captured subsequent to such authentic act of repeal of the French Decrees, although antecedent to such repeal such ship or vessel shall have commenced and shall have been in the prosecution of a voyage, which, under the said Orders in Council, or one of them, would have subjected her to capture and condemnation; and the claimant of any ship or cargo which shall be captured or brought to adjudication, on account of any alleged breach of either of the said Orders in Council, at any time subsequent to such authentic act of repeal by the French government, shall without any further Order or Declaration on the part of his majesty's government on this subject, be at liberty to give in evidence in the high Courts of Admiralty, or any Court of Vice-Admiralty, before which such ship or cargo shall be brought for adjudication, that such repeal by the French government had been, by such authentic act, promulgated prior to such capture; and upon proof thereof, the voyage shall be deemed and taken to have been as lawful as if the said Orders in Council had never been made: saving, nevertheless, to the captors, such protection and indemnity as they may be equitably entitled to in the judgment of the said Court, by reason of their ignorance, of uncertainty as to the repeal of the French Decrees, or of the recognition of such repeal by his majesty's government at the time of such capture.

His royal highness, however deems it proper to declare, that should the repeal of the French Decrees, thus anticipated and provided for, prove afterwards to have been illusory on the part of the enemy; and should the restrictions thereof be still practically enforced, or revived by the enemy; G. Britain will be compelled, however reluctantly, after reasonable notice, to have recourse to such measures of retaliation as may then appear to be just and necessary.

And the Right Honorable the lords commissioners of his Majesty's treasury, his Majesty's principal Secretaries of state, the lords Commissioners of the Admiralty, and the Judges of the high Court of Admiralty, and the Judges of the Courts of Vice-Admiralty, are to take the necessary measures therein as to them shall respectively appertain.

CHETWYND.

*Mr. Russell to Lord Castlereagh.*

My Lord—I have the honor to acknowledge the receipt of the note which your lordship addressed to me on the 21st of this month, enclosing, by command of his royal highness, the prince regent, a copy of a declaration accompanying an Order in Council which had this day been passed.

It would afford me the highest satisfaction, in communicating that declaration and order to my government, to have represented them, as conceived in the true spirit of conciliation and with a due regard to the honor and interests of the U. States. I regret, however, that so far from perceiving in them any evidence of the amicable sentiments which are professed to animate the councils of his royal highness, I am compelled to consider them as an unequivocal proof of the determination of his Britannic majesty's government to adhere to a system, which, both as to principle and fact, originated, and has been continued in error; and against which, the government of the U. States, so long as it respects itself and the essential rights of the nation over which it is placed, cannot cease to contend.

The U. States have never considered it their duty to enquire, nor do they pretend to decide, whether England or France was guilty, in relation to the other, of the first violation of the public law of nations; but they do consider it their most imperious duty to protect themselves from the unjust operation of the unprecedented measure of retaliation professed by both powers to be founded on such violation. In this operation, by whichever party directed, the U. States have never, for a moment, acquiesced, nor by the slightest indication of such acquiescence, afforded a pretext, for extending to them the evils, by which England and France affect to retaliate on each other. They have in no instance departed from the observance of that strict impartiality which their peaceful position required, and which ought to have secured to them the unmolested enjoyment of their neutrality. To their astonishment, however, they perceived that both these belligerent powers, under the pretence of annoying each other, adopted and put in practice new principles of retaliation, involving the destruction of those commercial and maritime rights which the U. States regard as essential and inseparable attributes of their independence. Although alive to all the injury and injustice of



this system, the American government resorted to no measures to oppose it, which were not of the most pacific and impartial character in relation to both the aggressors. Its remonstrances, its restrictions of commercial intercourse, and its overtures for accommodation, were equally addressed to England and France: and if there is now an inequality in the relations of the U. States with these countries, it can only be ascribed to England herself, who rejected the terms proffered to both, while France accepted them, and who continues to execute her retaliatory Edicts on the high seas, while those of France have here ceased to operate.

If G. Britain could not be persuaded by considerations of universal equality, to refrain from adopting any line of conduct, however unjust, for which she might discover a precedent in the conduct of her enemy, or to abandon an attempt of remotely and uncertainly annoying that enemy through the immediate and sure destruction of the vital interest of a neutral and unoffending state, yet it was confidently expected that she would be willing to follow that enemy also in his return towards justice, and, from a respect to her own declarations to proceed *pari passu* with him in the revocation of the offending Edicts. This just expectation has, however, been disappointed, and an exemption of the flag of the U. States from the operation of the Berlin and Milan Decrees, has produced no corresponding modification of the British Orders in Council. On the contrary, the fact of such exemption on the part of France, appears, by the declaration and Order in Council of the British government on the 21st of this month, to be denied, and the engagements of the latter, to proceed, step by step, with its enemy, in the work of repeal and relaxation, to be disowned or disregarded.

That France has repealed her Decrees so far as they respected the U. States, has been established by declarations and facts, satisfactory to them, and which it was presumed should have been equally satisfactory to the British government. A formal and authentic declaration of the French government communicated to the minister plenipotentiary of the U. States at Paris, on the 5th of August, 1810, announced that the Decrees of Berlin and Milan were revoked, and should cease to operate on the 1st of the succeeding November, provided that a condition presented to Eng-

land, or another condition presented to the U. States should be performed. The condition presented to the U. States was performed, and their performance rendered absolute the repeal of the Decrees. So far, therefore, from this repeal depending upon a condition in which G. Britain could not acquiesce, it became absolute, independent of any act of G. Britain, the moment the act proposed for the performance of the U. States was accomplished. Such was the construction given to this measure by the U. States from the first ; and that it was a correct one has been sufficiently evinced by the subsequent practice.

Several instances of the acquittal of American vessels and cargoes, to which the Decrees would have attached, if still in force against the U. States, have from time to time, been presented to his Britannic majesty's government. That these cases have been few, is to be ascribed to the few captures, in consequence of this repeal, made by French cruizers ; and should no other such case occur, it would be owing to the efficacy of this repeal, and to the exact observance of it, even by the most wanton and irregular of those cruizers.

From the 1st of November, 1810, to the 29th of January of the present year, as appears by a note which I had the honor to address to the predecessor of your lordship, on the 8th of February last, the Berlin and Milan Decrees had not been applied to American property, nor have I heard that such application has since been made.

But against the authentic act of the French government of the 5th August, 1810, and the subsequent conduct of the government, mutually explaining each other, and conforming the construction adopted by the U. States, a report said to be communicated by the French minister of Foreign affairs to the conservate senate, is opposed. Without pretending to doubt the genuineness of that report, although it has reached this country only in a newspaper, yet it is to be lamented that as much form and evidence of authenticity have not been required, in an act considered as furnishing cause for the continuance of the Orders in Council, as an act which by the very terms of these Orders challenged their revocation.—The act of the 5th of August, 1810, emanating from the sovereign of France, officially communicated to the British government, and satisfactorily expound

ed and explained by the practical comments of more than eighteen months, is denied to afford convincing evidence of the repeal of the French Decrees, while full proof of their continuance is inferred from a report, which, from its very nature, must contain the mere opinions and speculations of a subject which is destitute of all authority until acted upon by the body to which it was presented, which has found its way hither in no more authentic shape than the columns of the *Moniteur*, and for the proper understanding of which not a moment has been allowed.—But even were the cause thus assigned to the report just, it is still difficult to discover what inference can be fairly deduced from it incompatible with the previous declarations and conduct of the French government exempting the United States from the operation of its Decrees. The very exception in that report with regard to nations who do not suffer their flag to be *denationalized*, was undoubtedly made with reference to the U. States, and with a view to reconcile the general tenor of that report with the good faith with which it became France to observe the conventional repeal of those Decrees in their favor. However novel may be the terms employed, or whatever may be their precise meaning, they ought to be interpreted to accord with the engagements of the French government, and with justice and good faith.

Your lordship will, I doubt not, the more readily acknowledge the propriety of considering the report in this light, by a reference to similar reports made to the same conservative senate, on the 13th of Dec. 1810, by the duke of Cadore (the predecessor of the present French minister of exterior relations) and by the count de Simonville. In these reports they say to the emperor, (which proves that such reports are not to be considered as dictated by him) ‘Sire, as long as England shall persist in her Orders in Council, so long your majesty will persist in your Decrees,’ and ‘the Decrees of Berlin and Milan are an answer to the Orders in Council. The British Cabinet, has, thus to speak, dictated them to France. Europe receives them for her code, and this code shall become the palladium of the liberty of the seas.’ Surely, this language is as strong as that of the report of the 10th of March, and still more absolute; or there is no qualification in it in favor of any nation; this language has both, by an explanation of the

duke of Cadore to me at the same time, and by the uniform conduct of the French government since, been reconciled with the repeal of these Decrees, so far as they concerned the U. States.

Had the French Decrees originally afforded an adequate foundation for the British Orders in Council, and been continued after these reports, in full force, and extent, surely, during a period in which above a hundred American vessels and their cargoes have fallen a prey to these Orders, some one solitary instance of capture and confiscation must have happened under those Decrees. That no such instance has happened incontrovertibly proves, either that those Decrees are of themselves harmless, or that they have been repealed; and in either case they can afford no rightful plea or pretext for G. Britain, for these measures of pretended retaliation, whose sole effect is to lay waste the neutral commerce of America.

With the remnant of those Decrees, which is still in force, and which consists of municipal regulations, confined in their operation within the proper and undeniable jurisdiction of the States where they are executed, the U. States have no concern; nor do they acknowledge themselves to be under any political obligation, either to examine into the ends proposed to be attained by this surviving portion of the continental system, or to oppose their accomplishment. Whatever may be intended to be done in regard to other nations by this system, cannot be imputed to the U. States, nor are they to be made responsible, while they religiously observe the obligations of their neutrality for the mode in which belligerent nations may choose to exercise their power, for the injury of each other. When, however, these nations exceed the just limits of their power by the invasion of the rights of peaceful states on the ocean which is subject to the common and equal jurisdiction of all nations, the U. States cannot remain indifferent, and by quietly consenting to yield up their share of this jurisdiction, abandon their maritime rights.—France has respected these rights by the discontinuance of her Edicts on the high seas, leaving no part of these Edicts in operation to the injury of the U. States; and of course, no part in which they can be supposed to acquiesce, or against which they can be required to contend. They ask G. Britain, by a like respect

for their rights, to exempt them from the operation of her Orders in Council. Should such exemption involve the total practical extinction of these Orders, it will only prove that they were exclusively applied to the commerce of the U. States, and that they had not a single feature of resemblance to the Decrees, against which they are professed to retaliate.

It is with patience and confidence that the United States have expected this exemption, and to which they believed themselves entitled, by all those considerations of right and promise, which I have freely stated to your lordship. With what disappointment, therefore, must they learn that G. Britain, in professing to do away their disaffection, explicitly avows her intention to persevere in her Orders in Council, until some authentic act hereafter to be promulgated by the French government, shall declare the Berlin and Milan Decrees are expressly and unconditionally repealed. To obtain such an act, can the United States interfere? Would such an interference be compatible either with a sense of justice, or with what is due to their own dignity? Can they be expected to falsify their repeated declarations of their satisfaction with the act of the 5th of August, 1810, confirmed by abundant evidence of its subsequent observance, and by now affecting to doubt of the sufficiency of that act, to demand another, which in its form, its mode of publication, and its import, shall accord with the requisitions of G. Britain? And can it be supposed that the French government would listen to such a proposal made under such circumstances, and with such a view?

While, therefore, I can perceive no reason, in the report of the French minister, of the 10th of March, to believe that the U. States erroneously assumed the repeal of the French Decrees, to be complete in relation to them; while aware that the condition of which the Orders in Council is now distinctly made to depend, is the total repeal of both the Berlin and Milan Decrees, instead as formerly of the Berlin Decree only; and while I feel that to ask the performance of this condition from others, inconsistent with the honor of the U. States, and to perform it themselves beyond their power; your lordship will permit me frankly to avow that I cannot accompany the communication to my government, of the declaration and Order in Council of the 21st of this

month, with any felicitation on the prospect which this measure presents of an accelerated return of amity and mutual confidence between the two states.

It is with real pain that I make to your lordship this avowal, and I will seek still to confide in the spirit which your lordship in your note, and in the conversation of this morning, has been pleased to say actuates the councils of his royal highness in relation to America, and still to cherish a hope that the spirit will lead, upon a review of the whole ground, to measures of a nature better calculated to attain this object, and that this object will no longer be made to depend on the conduct of a third power, or contingencies over which the U. States have no controul, but alone upon the rights of the U. States, the justice of G. Britain, and the common interests of both.

I have the honor to be, &c.

JONATHAN RUSSELL.

Previous to the Declaration of War, Gen. Hull, with about two thousand men, was ordered to proceed to Detroit.—The army arrived at the head of Lake Erie, about the time war was declared; and several officers, and ladies, with the baggage of the General Officers, proceeded down the Lake for Detroit, in a gun vessel. The British received the news of the war before Gen. Hull, and sent a brig in pursuit of his baggage, which succeeded in capturing the vessel, and carried her into Malden.—The British commander sent the ladies over to Detroit, in a flag of truce, which was the first intelligence they had received of the war.

Gen. Hull, after concentrating his forces, at Detroit, crossed over the river to Sandwich, and issued the following *singular and extraordinary* Proclamation.

BY WILLIAM HULL,

*Brigadier General and Commander of the North Western Army of the United States:*

### A PROCLAMATION.

INHABITANTS OF CANADA!

After thirty years of peace and prosperity, the U. States have been driven to arms. The injuries and aggressions, the insults and indignities of G. Britain have once more left

them no alternative but manly resistance, or unconditional submission. The army under my command has invaded your country; the standard of the Union now waves over the territory of Canada. To the peaceable unoffending inhabitant, it brings neither danger nor difficulty. I come to find enemies, not to make them. I come to protect, not to injure you.

Separated by an immense ocean and an extensive wilderness from G. Britain, you have no participation in her councils; no interest in her conduct. You have felt her tyranny; you have seen her injustice. But I do not ask you to avenge the one, or to redress the other. The U. States are sufficiently powerful to afford every security, consistent with their rights and your expectations. I tender you the invaluable blessing of civil, political, and religious liberty, and their necessary result, individual and general prosperity; that liberty which gave decision to our councils, and energy to our conduct in a struggle for independence, which conducted us safely and triumphantly through the stormy period of the revolution—that liberty which has raised us to an elevated rank among the nations of the world; and which afforded us a greater measure of peace and security, of wealth and improvement, than ever fell to the lot of any people. In the name of my country, and the authority of government, I promise you protection to your persons, property, and rights; remain at your homes; pursue your peaceful and customary avocations; raise not your hands against your brethren. Many of your fathers fought for the freedom and independence we now enjoy. Being children therefore of the same family with us, and heirs to the same heritage, the arrival of an army of friends must be hailed by you with a cordial welcome.—You will be emancipated from tyranny and oppression, and restored to the dignified station of freedom. Had I any doubt of eventual success, I might ask your assistance, but I do not. I come prepared for every contingency—I have a force which will break down all opposition, and that force is but the van-guard of a much greater.—If, contrary to your own interest and the just expectations of my country, you should take part in the approaching contest, you will be considered and treated as enemies, and the horrors and calamities of war will stalk before you. If the barbarous and savage

policy of G. Britain be pursued, and the savages are let loose to murder our citizens and butcher our women and children, *this war will be a war of extermination.* The first stroke of the tomahawk—the first attempt with the scalping knife, will be the signal of one indiscriminate scene of desolation. No white man found fighting by the side of an Indian will be taken prisoner—instant death will be his lot. If the dictates of reason, duty, justice, and humanity, cannot prevent the employment of a force which respects no rights, and knows no wrong, it will be prevented by a severe and relentless system of retaliation. I doubt not your courage and firmness—I will not doubt your attachment to liberty. If you tender your services voluntarily, they will be accepted readily. The U. States offer you peace, liberty, and security. Your choice lies between these and war, slavery and destruction.—Choose then ; but choose wisely ; and may He who knows the justice of our cause, and who holds in his hand the fate of nations, guide you to a result the most compatible with your rights and interests, your peace and happiness.

By the General,

A. P. HULL,

*Captain of the 13th United States' regiment of Infantry,  
and Aid-de-camp.*

*Head-quarters, Sandwich, July 12, 1812.*

WILLIAM HULL.

On the 10th of July, Colonels Cass and Miller, attempted to surprise a British post, 300 strong, at a bridge about five miles from Malden.—They were discovered by the British, and after a slight skirmish, the enemy retreated, leaving eleven men killed and wounded, on the field ; our troops returned to head-quarters, at Sandwich, and the British re-posted themselves again, at the bridge. On the 19th and 24th there was considerable skirmishing, with trifling success, on either side—our loss was six men killed and wounded—the British and Indians, lost sixteen killed, and several wounded.

Soon after General Hull had crossed from Detroit, into Canada, and had issued his Proclamation, the greater part of the militia of the neighboring country gave themselves



up to his protection, or returned home peaceably, resolving to stand neutral, in the contest.—Large bodies of the savage tribes offered their services to Gen. Hull, previous to his leaving Detroit, but he informed them that he was not authorised to accept them, and wished them to remain silent spectators, and not engage on either side; but this was not their choice—they immediately crossed over to Malden, where they were accepted, and put into service by the British; which circumstance contributed largely to overthrow Gen. Hull, as will be seen by the official account of his capitulation.

### HULL'S VICTORY.

*Com. Hull to the Secretary of the Navy.*

*U. S. F. Constitution, off Boston, Aug. 30, 1812.*

SIR—I have the honor to inform you, that on the 10th instant, at 2 P. M. being in latitude 41, 42, longitude 55, 48, with the Constitution, under my command, a sail was discovered from the mast head bearing E. by S. or E. S. E. but at such a distance we could not tell what she was. All sail was instantly made in chase, and soon found we came up with her. At 3 P. M. could plainly see that she was a ship on the starboard tack, under easy sail, close on a wind; at half past 3 P. M. made her out to be a frigate; continued the chase until we were within about three miles, when I ordered the light sails taken in, the courses hauled up, and the ship cleared for action. At this time the chase had backed his main-topsail, waiting for us to come down. As soon as the Constitution was ready for action, I bore down with an intention to bring him to close action immediately; but on our coming within gun-shot she gave us a broadside, and filed away, and wore, giving us a broadside on the other tack, but without effect; her shot falling short. She continued wearing and manœuvring for about three quarters of an hour, to get a raking position, but finding she could not, she bore up, and run under her topsails and gib, with the wind on the quarter. Immediately made sail to bring the ship up with her, and 5 minutes before six, P. M. being alongside within half pistol shot, we commenced a heavy fire from all our guns, double shotted with round and grape, and so well directed were they, and so warmly kept up, that in 15 minutes his mizen-mast went

by the board, and his main yard in the slings, and the hull, rigging, and sails, very much torn to pieces. The fire was kept up with equal warmth for 15 minutes longer, when his main-mast and fore-mast went, taking with them every spar, excepting the bowsprit: on seeing this we ceased firing, so that in 30 minutes after we got fairly alongside the enemy, she surrendered, and had not a spar standing, and her hull, below and above water, so shattered, that a few more broadsides must have carried her down.

After informing you that so fine a ship as the *Guerriere*, commanded by an able and experienced officer, had been totally dismasted, and otherwise cut to pieces, so as to make her not worth towing into port, in the short space of 30 minutes, you can have no doubt of the gallantry and good conduct of the officers and ship's company I have the honor to command; it only remains, therefore, for me to assure you, that they all fought with great bravery; and it gives me great pleasure to say, that from the smallest boy in the ship to the oldest seamen, not a look of fear was seen. They all went into action, giving three cheers and requested to be laid alongside the enemy.

I have the honor to be, &c.

ISAAC HULL.

#### AMERICAN LOSS.

Killed 7—wounded 7.

#### BRITISH LOSS.

Killed 15—wounded 62—missing 24.\*

#### ORDERS IN COUNCIL REVOKED.

At the Court at Carlton House, the 23d day of June, present, his royal highness, the prince regent in council.

Whereas his royal highness, the prince regent was pleased to declare, in the name and on behalf of his majesty, on the 21st of April, 1812, 'That if at any time hereafter, the Berlin and Milan Decrees shall by some authentic act of the French government, publicly promulgated, be absolutely and unconditionally repealed, then, and from thence, the Order in Council of the 7th of January, 1807, and the Order in Council of the 26th of April, 1809, shall without any further order, be, and the same are hereby declared from thenceforth to be wholly and absolutely revoked.'

\* Supposed to have gone overboard with the masts.

And whereas the charge d'affairs of the U. States of America, resident at this Court, did, on the 21st day of May last, transmit to lord viscount Castlereagh, one of his majesty's principal secretaries, a copy of a certain instrument, then for the first time communicated to this Court, purporting to be a Decree passed by the government of France, on the 28th of April, 1811, by which the Decrees of Berlin and Milan are declared to be definitely no longer in force in regard to American vessels :

And whereas his royal highness, the prince regent, although he cannot consider the tenor of said instrument as satisfying the conditions set forth in the said Order of the 21st of April last, upon which the said Orders were to cease and determine, is nevertheless disposed, on his part, to take such measures as may tend to re-establish the intercourse between neutral and belligerent nations, upon its accustomed principles, his royal highness, the prince regent, in the name and on the behalf of his majesty, is therefore pleased, by and with the advice of his majesty's privy council, to order and declare, and it is hereby ordered and declared, that the Order in Council bearing date the 7th day of January, 1807, and the Order in Council bearing date the 26th day of April, 1809, be revoked, so far as may regard American vessels and their cargoes, being American property, from the 1st day of August next.

But whereas by certain acts of the government of the U. States of America, all British armed vessels are excluded from the harbors and waters of the said U. States, the armed vessels of France being permitted to enter therein, and the commercial intercourse between Great Britain and the said U. States is interdicted, the commercial intercourse between France and the said U. States having been restored : his royal highness, the prince regent is pleased hereby further to declare, in the name and on the behalf of his majesty, that if the government of the said U. States shall not as soon as may be, after this order shall have been duly notified by his majesty's minister in America to the said government, revoke or cause to be revoked the said acts, this present Order shall in that case, after clear notice signified by his majesty's minister in America, to the said government, be thenceforth null and of no effect.

It is further ordered and declared, that all American vessels and their cargoes, being American property, that shall have been captured subsequently to the 28th of May last, for a breach of the aforesaid Orders in Council alone, and which shall not have been actually condemned before the date of this Order, and that all ships and cargoes as aforesaid, that shall henceforth be captured under the said Orders, prior to the 1st day of August next, shall not be proceeded against to condemnation, until further orders, but shall, in the event of this Order not becoming null and of no effect, in the case aforesaid, be forthwith liberated and restored, subject to such reasonable expences on the part of the captors, as shall have been justly incurred.

Provided that nothing in the Order contained respecting the revocation of the Orders herein mentioned, shall be taken to revive wholly, or in part, the Orders in Council of the 11th of November, 1807, or any other Order not herein mentioned, or to deprive parties of any legal remedy to which they may be entitled, under the Order in Council, of the 21st of April, 1812.

His royal highness, the prince regent is hereby pleased further to declare, in the name and on the behalf of his majesty, that nothing in the present Order contained shall be understood to preclude his royal highness, the prince regent, if circumstances shall so require, from restoring, after reasonable notice, the Orders of the 7th of January, 1807, and the 26th of April, 1809, or any part thereof, to their full effect, or from taking such other measures of retaliation against the enemy, as may appear to his royal highness to be just and necessary.

And the right honorable the lords commissioners of his majesty's treasury, his majesty's principal secretaries of state, the lords commissioners of the Admiralty and the Judge of the high Court of Admiralty, and the Judge of the Court of Vice Admiralty, are to take the necessary measures herein, as to them may respectively appertain.

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*Gen. Hull to the Secretary of War.*

MONTREAL, Sept. 8th, 1812.

SIR—The inclosed dispatch was prepared on my arrival at Fort George, and it was my intention to have forwarded it from that place by Major Witherell, of the

Michigan volunteers. I made application to the commanding officer at that post, and was refused; he stating that he was not authorised, and Gen. Brock was then at York. We were immediately embarked for this place, and Major Witherell obtained liberty at Kingston to go home on parole.

This is the first opportunity I have had to forward the dispatches.

The fourth U. States' regiment is destined for Québec, with a part of the first. The whole consist of a little over three hundred.

Sir George Prevost, without any request on my part, has offered to take my parole, and permit me to proceed to the States.

Lieut. Anderson, of the eighth regiment, is the bearer of my dispatches. He was formerly a Lieut. in the Artillery, and resigned his commission on account of being appointed Marshal of the Territory of Michigan. During the campaign he has had a command in the Artillery; and I recommend him to you as a valuable officer.

He is particularly acquainted with the state of things previous, and at the time when the capitulation took place. He will be able to give you correct information on any points, about which you may think proper to enquire.

I am, very respectfully, &c.

WILLIAM HULL.

#### DISPATCH.

*Fort George, August 26, 1812.*

SIR—Inclosed are the articles of capitulation, by which the Fort of Detroit has been surrendered to Major-General Brock, commanding his Britannic Majesty's forces in Upper Canada, and by which the troops have become prisoners of war. My situation at present forbids me from detailing the particular causes which have led to this unfortunate event. I will, however, generally observe, that after the surrender of Michilimackinac, almost every tribe and nation of Indians, excepting a part of the Miamies and Delawares, north from beyond Lake Superior, west from beyond the Mississippi, south from the Ohio and Wabash, and east from every part of Upper Canada, and from all the intermediate country, joined in open hostility under the British standard, against the army I commanded, contrary to the most solemn

assurances of a large portion of them to remain neutral; even the Ottawa Chiefs from Abercrotch, who formed the delagation to Washington the last summer, in whose friendship I know you had great confidence, are among the hostile tribes, and several of them distinguished leaders. Among the vast number of chiefs who led the hostile bands, Tecumseh, Marplot, Logan, Walk-in-the-water, Split-Log, &c. are considered the principals. This numerous assemblage of savages, under the entire influence and direction of the British commander, enabled him totally to obstruct the only communication which I had with my country. This communication had been opened from the settlements in the state of Ohio, two hundred miles through a wilderness, by the fatigues of the army, which I marched to the frontier on the river Detroit. The body of the Lake being commanded by the British armed ships, and the shores and rivers by gun-boats, the army was totally deprived of all communication by water. On this extensive road it depended for transportation of provisions, military stores, medicine, clothing, and every other supply, on pack-horses—all its operations were successful until its arrival at Detroit,—in a few days it passed into the enemy's country, and all opposition seemed to fall before it. One month it remained in possession of this country, and was fed from its resources. In different directions detachments penetrated sixty miles in the settled part of the province, and the inhabitants seemed satisfied with the change of situation, which appeared to be taking place—the militia from Amherstburg were daily deserting, and the whole country, then under the control of the army, was asking for protection. The Indians generally, in the first instance, appeared to be neutralized, and determined to take no part in the contest.

The fort of Amherstburgh was eighteen miles below my encampment. Not a single cannon or mortar was on wheels suitable to carry before that place. I consulted my officers whether it was expedient to make an attempt on it with the bayonet alone, without cannon to make a breach in the first instance. The council I called was of opinion it was not.—The greatest industry was exerted in making preparation, and it was not until the 7th of August, that two 24-pounders, and three howitzers were prepared. It was then my intention to have proceeded on the enterprise.—

While the operations of the army were delayed by these preparations the clouds of adversity had been for some time, and seemed still thickly to be gathering around me. The surrender of Michilimackinac opened the northern hive of Indians, and they were swarming down in every direction. Reinforcements from Niagara had arrived at Amherstburg under the command of Col. Proctor. The desertion of the militia ceased. Besides the reinforcements that came by water, I received information of a very considerable force under the command of Major Chambers, on the river Le French, with four field-pieces, and collecting the militia on his route, evidently destined for Amherstburg; and in addition to this combination, and increase of force, contrary to all my expectations, the Wyandots, Chippewas, Ottawas, Potawattamies, Munsees, Delawares, &c. with whom I had the most friendly intercourse, at once passed over to Amherstburg, and accepted the tomahawk and scalping knife. There being now a vast number of Indians at the British post, they were sent to the river Huron, Brownstown, and Maguago, to intercept my communication. To open this communication, I detached Major Vanhorn, of the Ohio volunteers, with two hundred men to proceed as far as the river Raisin, under an expectation that he would meet Capt. Brush with 150 volunteers from Ohio, and a quantity of provision for the army. An ambuscade was formed at Brownstown, and Major Vanhorn's detachment defeated and returned to camp without effecting the object of the expedition.

In my letter of the 7th inst. you have the particulars of that transaction, with a return of the killed and wounded. Under this sudden and unexpected change of things, and having received an express from General Hall, commanding opposite the British shore on the Niagara river, by which it appeared that there was no prospect of any co-operation from that quarter, and the two senior officers of the artillery having stated to me an opinion that it would be extremely difficult, if not impossible, to pass the Turkey river and river Aux-Cannard, with the 24 pounders, and that they could not be transported by water, as the Queen Charlotte which carried eighteen 24 pounders, lay in the river Detroit above the mouth of the river Aux-Cannard; and as it appeared indispensibly necessary to open the communication to the river Raisin and the Miami, I found

myself compelled to suspend the operation against Amherstburg, and concentrate the main force of the army at Detroit. Fully intending, at that time, after the communication was opened, to re-cross the river, and pursue the object at Amherstburg, and strongly desirous of continuing protection to a very large number of the inhabitants of Upper Canada, who had voluntarily accepted it under my proclamation, I established a fortress on the banks of the river, a little below Detroit, calculated for a garrison of three hundred men. On the evening of the 7th, and morning of the 8th inst. the army, excepting the garrison of 250 infantry, and a corps of artillerists, all under the command of Major Denny, of the Ohio volunteers, re-crossed the river, and encamped at Detroit. In pursuance of the object of opening the communication, on which I considered the existence of the army depending, a detachment of six hundred men, under the command of Lieut. Colonel Miller was immediately ordered. For a particular account of the proceedings of this detachment, and the memorable battle which was fought at Maguago, which reflects the highest honor on the American arms, I refer you to my letter of the 13th of August, a duplicate of which is enclosed, in this. Nothing however but honor was acquired by this victory; and it is a painful consideration, that the blood of seventy-five gallant men could only open the communication as far as the points of their bayonets extended. The necessary care of the sick and wounded, and a very severe storm of rain, rendered their return to camp indispensably necessary for their own comfort. Captain Brush, with his small detachment, and the provisions, being still at the river Raisin, and in a situation to be destroyed by the savages, on the 13th inst. in the evening, I permitted Colonels M'Arthur and Cass to select from their regiment four hundred of their most effective men, and proceed an upper route through the woods, which I had sent an express to Capt. Brush to take, and had directed the militia of the river Raisin to accompany him as a reinforcement. The force of the enemy continually increasing, and the necessity of opening the communication, and acting on the defensive, becoming more apparent, I had, previous to detaching Colonels M'Arthur and Cass, on the 11th inst. evacuated and destroyed the fort on the opposite bank.



On the 13th, in the evening, Gen. Brock arrived at Amherstburg about the hour Colonels M'Arthur and Cass marched, of which at that time I had received no information. On the 15th, I received a summons from him to surrender fort Detroit, of which I herewith enclose you a copy, together with my answer. At this time I had received no information from Colonels M'Arthur and Cass. An express was immediately sent, strongly escorted, with orders for them to return.

On the 15th, as soon as General Brock received my letter, his batteries opened on the town and fort, and continued until evening. In the evening all the British ships of war came nearly as far up the river as Sandwich, three miles below Detroit. At daylight on the 16th, (at which time I had received no information from Colonels M'Arthur and Cass, my expresses sent the evening before, and in the night, having been prevented from passing by numerous bodies of Indians) the cannonade recommenced, and in a short time I received information, that the British army and Indians, were landing below the Spring wells, under the cover of their ships of war. At this time the whole effective force at my disposal at Detroit did not exceed eight hundred men. Being new troops and unaccustomed to a camp life; having performed a laborious march; having been in a number of battles and skirmishes, in which many had fallen, and more had received wounds, in addition to which a large number being sick, and unprovided with medicine, and the comforts necessary for their situation; are the general causes by which the strength of the army was thus reduced. The fort at this time was filled with women, children, and the old and decrepit people of the town and country; they were unsafe in the town, as it was entirely open and exposed to the enemy's batteries. Back of the fort, above or below it, there was no safety for them on account of the Indians. In the first instance, the enemy's fire was principally directed against our batteries; towards the close, it was directed against the fort alone, and almost every shot and shell had their effect.

It now became necessary either to fight the enemy in the field; collect the whole force in the fort; or propose terms of capitulation. I could not have carried into the field more than six hundred men, and left any adequate force in

the fort. There were landed at that time of the enemy a regular force of much more than that number, and twice that number of Indians. Considering this great inequality of force, I did not think it expedient to adopt the first measure. The second must have been attended with a great sacrifice of blood, and no possible advantage, because the contest could not have been sustained more than a day for the want of powder, and but a very few days for the want of provisions. In addition to this, Cols. M'Arthur and Cass would have been in a most hazardous situation. I feared nothing but the last alternative. I have dared to adopt it—I well know the high responsibility of the measure, and I take the whole of it on myself. It was dictated by a sense of duty, and a full conviction of its expediency. The bands of savages which had then joined the British force, were numerous beyond any former example. Their numbers have since increased, and the history of the barbarians of the north of Europe does not furnish examples of more greedy violence than these savages have exhibited. A large portion of the brave and gallant officers and men I commanded would cheerfully have contested until the last cartridge had been expended, and the bayonets worn to the sockets. I could not consent to the useless sacrifice of such brave men, when I knew it was impossible for me to sustain my situation. It was impossible in the nature of things that an army could have been furnished with the necessary supplies of provision, military stores, clothing, and comforts for the sick, on pack horses, through a wilderness of two hundred miles, filled with hostile savages. It was impossible, sir, that this little army, worn down by fatigue, by sickness, by wounds and deaths, could have supported itself not only against the collected force of all the northern nations of Indians, but against the united strength of Upper Canada, whose population consists of more than twenty times the number contained in the territory of Michigan, aided by the principal part of the regular forces of the province, and the wealth and influence of the North-West, and other trading establishments among the Indians, which have in their employment, and under their entire control, more than two thousand white men.

Before I close this despatch it is a duty I owe my respectable associates in command, Colonels M'Arthur, Find-

ley, Cass, and lieutenant Col. Miller, to express my obligations to them for the prompt and judicious manner in which they have performed their respective duties. If aught has taken place during the campaign which is honorable to the army, these officers are entitled to a large share of it. If the last act should be disapproved, no part of the censure belongs to them. I have likewise to express my obligation to General Taylor, who has performed the duty of quarter-master-General, for his great exertions in procuring every thing in his department which it was possible to furnish for the convenience of the army; likewise to brigade-major Jessup for the correct and punctual manner in which he has discharged his duty; and to the army generally for their exertion, and the zeal they have manifested for the public interest. The death of Dr. Foster, soon after he arrived at Detroit, was a severe misfortune to the army; it was increased by the capture of the Chachaga packet, by which the medicine and the hospital stores were lost. He was commencing the best arrangements in the department of which he was the principal, with the very small means which he possessed. I was likewise deprived of the necessary services of Capt. Partridge, by sickness, the only officer of the corps of engineers attached to the army. All the officers and men have gone to their respective homes, excepting the 4th U. States' regiment, and a small part of the first, and Capt. Dyson's company of artillery. Capt. Dyson's company was left at Amherstburg, and the others are with me prisoners—they amount to about 340. I have only to solicit an investigation of my conduct, as early as my situation, and the state of things will admit; and to add the further request, that the government will not be unmindful of my associates in captivity, and of the families of those brave men who have fallen in the contest.

I have the honor to be, &c.

W. HULL.

[ENCLOSED IN THE PRECEDING DISPATCH.]

SANDWICH, August 7, 1812.

SIR—On the 4th inst. Major Vanhorn, of Col. Findley's regiment of Ohio volunteers, was detached from this army, with the command of 200 men, principally riflemen, to proceed to the river Raisin, and further, if necessary, to meet

and reinforce Capt. Brush, of the state of Ohio, commanding a company of volunteers, and escorting provisions for this army. At Brownstown a large body of Indians had formed an ambuscade, and the Major's detachment received a heavy fire, at the distance of fifty yards from the enemy. The whole detachment retreated in disorder. Major Vanhorn made every exertion to form, and prevent the retreat, that was possible for a brave and gallant officer, but without success. By the return of killed and wounded, it will be perceived that the loss of officers was uncommonly great. Their efforts to rally their companies was the occasion of it.

I am, very respectfully, yours, &c.

WILLIAM HULL.

Killed, in Major Vanhorn's defeat—4 Captains—1 Lieutenant—2 Ensigns—10 privates—total. 17.

[ENCLOSED IN THE PRECEDING DISPATCH.]

DETROIT, 13th August, 1812.

SIR—The main body of the army having re-crossed the river at Detroit, on the night and morning of the 8th, inst. six hundred men were immediately detached under the command of Lieut. Col. Miller, to open the communication to the river Raisin, and protect the provisions, which were under the escort of Capt. Brush. This detachment consisted of the 4th U. States regiment, and two small detachments under the command of Lieut. Stansbury and Ensign M'Labe of the 1st regiment; detachments from the Ohio and Michigan volunteers, a corps of artillerists, with one six-pounder and an howitzer under the command of Lieut. Eastman, and a part of Captains Smith and Sloan's Cavalry, commanded by Capt. Sloan of the Ohio volunteers. Lieut. Col. Miller marched from Detroit on the afternoon of the 8th instant, and on the 9th, about four o'clock P. M. the van guard, commanded by Capt. Snelling of the 4th U. States' regiment, was fired on by an extensive line of British troops and Indians at the lower part of the Maguago about fourteen miles from Detroit. At this time the main body was marching in two columns, and Capt. Snelling maintained his position in a most gallant manner, under a very heavy fire, until the line was formed and advanced to the ground he occupied, when the whole, excepting the rear guard, was brought into action.

The enemy were formed behind a temporary breast work of logs, the Indians extending in a thick wood on their left. Lt. Col. Miller ordered his whole line to advance, and when within a small distance of the enemy, made a general discharge, and proceeded with charged bayonets, when the British line and Indians commenced a retreat. They were pursued in a most vigorous manner about two miles, and the pursuit discontinued only on account of the fatigue of the troops, the approach of evening, and the necessity of returning to take care of the wounded. The judicious arrangements made by Lt. Col. Miller, and the gallant manner in which they were executed, justly entitle him to the highest honor. From the moment the line commenced the fire, it continually moved on, and the enemy maintained their position until forced at the point of the bayonet. The Indians on the left, commanded by Tecumseh, fought with great obstinacy, but were continually forced and compelled to retreat. The victory was complete in every part of the line; and the success would have been more brilliant had the cavalry charged the enemy on the retreat, when a most favorable opportunity presented. Although orders were given for the purpose, unfortunately they were not executed. Majors Vanhorn and Morrison, of the Ohio volunteers, were associated with Lt. Col. Miller, as field officers in this command, and were highly distinguished by their exertions in forming the line, and the firm and intrepid manner they led their respective commands into action.

Capt. Baker, of the 1st. Capt. Brevort, of the 2d. and Capt. Hull, of the 13th, my aid-de-camp, and Lieut. Whistler, of the 1st Regt. U. S. Infantry, requested permission to join the detachment, as volunteers. Lieut. Col. Miller assigned commands to Capt. Baker and Lieut. Whistler; and Capts. Brevort and Hull, at his request, attended his person and aided him in the general arrangements. Lieut. Colonel Miller has mentioned the conduct of these officers in terms of high approbation. In addition to the captains who have been named, Lt. Col. Miller has mentioned Capts. Burton and Fuller, of the 4th Regt. Capts. Saunders and Brown, of the Ohio Volunteers, and Capt. Delandre, of the Michigan Volunteers, who were attached to his command—and distinguished by their valor. It is impossible for me, in this communication to do justice to the officers and soldiers, who

gained the victory which I have described. They have acquired high honor to themselves and are justly entitled to the gratitude of their country.

Major Muir, of the 41st Regt. commanded the British in this action. Their regulars and volunteers consisted of about 400, and a large number of Indians. Major Muir, and two subalterns were wounded, one of them since dead. The militia and volunteers attached to his command, were in the severest part of the action, and their loss must have been great—it has not yet been ascertained.

I have the honor to be, &c.

WM. HULL.

#### AMERICAN LOSS.

Killed 18—Wounded 57.

#### BRITISH LOSS.

Killed 51—Wounded 65—Prisoners 4.

### GENERAL ORDERS.

*H. Q. Detroit, Aug. 16, 1812.*

It is with pain and anxiety that Brigadier General Hull announces to the North-Western army, that he has been compelled from a sense of duty, to agree to the following articles of capitulation.

*Camp Detroit, Aug. 16, 1812.*

Capitulation of surrendering fort Detroit, entered into between Major-General Brock, commanding his Britannic majesty's forces, of the one part, and Brig. General Hull, commanding the North-Western army of the U. States, of the other part :

Article 1st. Fort Detroit with all the troops, regulars as well as militia, will be immediately surrendered to the British forces under command of Major-General Brock, and will be considered as prisoners of war, with the exception of such of the Militia of the Michigan territory, who have not joined the army.

Article 2d. All public stores, arms, and public documents, including every thing else of a public nature, will be immediately given up.

Article 3d. Private persons and private property of every description will be respected.

Article 4th. His excellency Brig. General Hull, having expressed a desire that a detachment from the state of Ohio, on its way to join the army, as well as one sent from fort

Detroit, under the command of Col. M'Arthur, should be included in the above stipulation, it is accordingly agreed to. It is, however, to be understood, that such parts of the Ohio militia as have not joined the army, will be permitted to return home on condition that they will not serve during the war—their arms, however, will be delivered up if belonging to the public.

Article 5th. The garrison will march out at the hour of 12 o'clock this day, and the British forces will take immediate possession of the fort.

J. M'DOWEL, Lt. Col. Militia B. A. D. C.

I. B. GREGG, Major A. D. C.

(Approved) WILLIAM HULL, Brig. Gen.

JAMES MILLER, Lt. Col. 5th U. S. Infantry.

E. BRUSH, Col. 1st. Regt. Michigan Militia.

(Approved) ISAAC BROCK, Maj. Gen.

The army at 12 o'clock this day will march out of the east gate, where they will stack their arms, and will be then subject to the articles of capitulation.

WILLIAM HULL, Brig. Gen.

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*Colonel Cass to the Secretary of War.*

WASHINGTON, Sept. 10, 1812.

SIR—Having been ordered on to this place by Col. M'Arthur, for the purpose of communicating to the government particulars respecting the expedition lately commanded by Brig. General Hull, and its disastrous result, as might enable them correctly to appreciate the conduct of the officers and men; and to develop the causes which produced so foul a stain upon the national character, I have the honor to submit for your consideration, the following statement.

When the forces landed in Canada, they landed with an ardent zeal and stimulated with the hope of conquest. No enemy appeared within view of us, and had an immediate and vigorous attack been made upon Malden, it would doubtless have fallen an easy victory. I know Gen. Hull afterwards declared he regretted this attack had not been made, and he had every reason to believe success would have crowned his efforts. The reason given for delaying our operations was to mount our heavy cannon, and to afford to the Canadian militia time and opportunity to quit

an obnoxious service. In the course of two weeks the number of their militia, who were embodied, had decreased by desertion from six hundred to one hundred men ; and in the course of three weeks, the cannon were mounted, the ammunition fixed, and every preparation made for an immediate investment of the fort. At a Council, at which were present all the field officers, and which was held two days before our preparations were completed, it was unanimously agreed to make an immediate attempt, to accomplish the object of the expedition. If by waiting two days we could have the service of our heavy artillery, it was agreed to wait: if not, it was determined to go without it, and attempt the place by storm. This opinion appeared to correspond with the views of the General, and the day was appointed for commencing our march. He declared to me, that he considered himself pledged to lead the army to Malden. The ammunition was placed in the waggons; the cannon embarked on board the floating batteries, and every requisite article was prepared. The spirit and zeal, the ardor and animation displayed by the officers and men, on learning the near accomplishment of their wishes, was a sure and sacred pledge, that in the hour of trial they would not be found wanting in their duty to their country and themselves. But a change of measures, in opposition to the wishes and opinions of all the officers, was adopted by the General. The plan of attacking Malden was abandoned, and instead of acting offensively, we broke up our camp, evacuated Canada, and re-crossed the river, in the night, without even the shadow of an enemy to injure us. We left to the tender mercy of the enemy the miserable Canadians who had joined us, and the *protection* we afforded them was but a passport to vengeance. This fatal and unaccountable step dispirited the troops, and destroyed the little confidence which a series of timid, irresolute, and indecisive measures had left in the commanding officer.

About the 10th of August, the enemy received a reinforcement of four hundred men. On the 12th, the commanding officers of three of the regiments, (the fourth was absent) were informed through a medium which admitted of no doubt, that the General had stated that a capitulation would be necessary. They on the same day addressed to Governor Meigs of Ohio, a letter of which the following is an extract.



*'Believe all the bearer will tell you. Believe it, however it may astonish you, as much as if it had been told you by one of us. Even a c n, is talked of by the . The bearer will fill the vacancy.'*

The doubtful fate of this letter rendered it necessary to use circumspection in its details, and therefore these blanks were left. The word 'capitulation' will fill the first, and 'commanding general' the other. As no enemy was near us, and as the superiority of our force was manifest, we could see no necessity for capitulating, nor any propriety in alluding to it. We therefore determined in the last resort to incur the responsibility of divesting the General of his command. This plan was eventually prevented by two of the commanding officers of regiments being ordered upon detachments.

On the 13th the British took a position opposite to Detroit, and began to throw up works. During that and the two following days, they pursued their object without interruption, and established a battery for two 18 pounders and an 8 inch howitzer. About sunset on the evening of the 14th, a detachment of 350 men from the regiments commanded by Col. M'Arthur and myself, was ordered to march to the river Raisin, to escort the provisions, which had some time remained there protected by a party under the command of Capt. Brush.

On Saturday, the 15th about 1 o'clock, a flag of truce arrived from Sandwich, bearing a summons from General Brock for the surrender of the town and fort of Detroit, stating he could no longer restrain the fury of the savages. To this an immediate and spirited refusal was returned. About four o'clock their batteries began to play upon the town. The fire was returned and continued without interruption and with little effect till dark. Their shells were thrown till eleven o'clock.

At day-light the firing on both sides re-commenced; about the same time the enemy began to land troops at the Spring wells, three miles below Detroit, protected by two of their armed vessels. Between 6 and 7 o'clock they had effected their landing, and immediately took up their line of march. They moved in close column of platoons, twelve in front, upon the bank of the river.

The fourth regiment was stationed in the fort ; the Ohio volunteers and a part of the Michigan militia, behind some pickets, in a situation in which the whole flank of the enemy would have been exposed. The residue of the Michigan militia were in the upper part of the town to resist the incursions of the savages. Two 24 pounders, loaded with grape shot, were posted on a commanding eminence, ready to sweep the advancing column. In this situation the superiority of our position was apparent, and our troops, in the eager expectation of victory, awaited the approach of the enemy. Not a discontent broke upon the ear ; not a look of cowardice met the eye. Every man expected a proud day for his country, and each was anxious that his individual exertion should contribute to the general result.

When the head of their column arrived within about five hundred yards of our line, orders were received from Gen. Hull for the whole to retreat to the fort, and for the 24 pounders not to open upon the enemy. One universal burst of indignation was apparent upon the receipt of this order. Those, whose conviction was the deliberate result of a dispassionate examination of passing events, saw the folly and impropriety of crowding 1100 men into a little work, which 300 men could fully man, and into which the shot and shells of the enemy were falling. The fort was in this manner filled ; the men were directed to stack their arms, and scarcely was an opportunity afforded of moving. Shortly after, a white flag was hung out upon the walls. A British officer rode up to enquire the cause. A communication passed between the commanding Generals, which ended in the capitulation submitted to you. In entering into this capitulation, the General took counsel from his own feelings only. Not an officer was consulted. Not one anticipated a surrender, till he saw the white flag displayed. Even the women were indignant at so shameful a degradation of the American character, and all felt as they should have felt, but *he* who held in his hands the reins of authority.

Our morning report had that morning made our effective men present, fit for duty 1060, without including the detachment before alluded to, and without including 300 of the Michigan militia on duty.

About dark on Saturday evening the detachment sent to escort the provisions, received orders from Gen. Hull to return with as much expedition as possible. About ten o'clock the next day they arrived within sight of Detroit. Had a firing been heard, or any resistance visible, they would have immediately advanced and attacked the rear of the enemy. The situation in which this detachment was placed, although the result of accident, was the best for annoying the enemy and cutting off his retreat that could have been selected. With his raw troops enclosed between two fires, and no hopes of succor, it is hazarding little to say, that very few would have escaped.

I have been informed by Col. Findley, who saw the return of their quarter-master General the day after the surrender, that their whole force of every description, white, red, and black, was 1030. They had twenty-nine platoons, twelve in a platoon, of men dressed in uniform. Many of these were evidently Canadian militia. The rest of the militia increased their white force to about seven hundred men. The number of their Indians could not be ascertained with any degree of precision; not many were visible. And in the event of an attack upon the town and fort, it was a species of force which could have afforded no material advantage to the enemy.

In endeavoring to appreciate the motives, and to investigate the causes, which led to an event so unexpected and dishonorable, it is impossible to find any solution in the relative strength of the contending parties, or in the measures of resistance in our power. That we were far superior to the enemy; that upon any ordinary principles of calculation we could have defeated them, the wounded and indignant feelings of every man there will testify.

A few days before the surrender, I was informed by Gen. Hull, we had 400 rounds of 24 pound shot fixed, and about 100,000 cartridges made. We surrendered with the fort, 40 barrels of powder, and 2500 stand of arms.

The state of our provision has not been generally understood. On the day of the surrender we had fifteen days' provisions of every kind on hand. Of meat there was plenty in the country, and arrangements had been made for purchasing grain and grinding it to flour. It was calculated we could readily procure three months' provisions, indepen-

dent of 150 barrels of flour, and 1300 head of cattle, which had been forwarded from the state of Ohio, and which remained at the river Raisin, under Capt. Brush, within reach of the army.

But had we been totally destitute of provisions, our duty and our interest undoubtedly was to fight. The enemy invited us to meet him in the field.

By defeating him the whole country would have been open to us, and the object of our expedition gloriously and successfully obtained. If we had been defeated we had nothing to do but to retreat to the fort, and make the best defence which circumstances and our situation rendered practicable. But basely to surrender, without firing a gun—tamely to submit, without raising a bayonet—disgracefully to pass in review before an enemy, as inferior in the quality, as in the number of his forces, were circumstances, which excited feelings of indignation more easily felt than described. To see the whole of our men flushed with the hope of victory, eagerly awaiting the approaching contest, to see them afterwards dispirited, hopeless, and desponding, at least 500 shedding tears, because they were not allowed to meet their country's foe, and to fight their country's battles, excited sensations, which no American has ever before had cause to feel, and which, I trust in God, will never again be felt, while one man remains to defend the standard of the Union.

I am expressly authorised to state, that Col. M'Arthur and Col. Findley, and Lieut. Col. Miller, viewed this transaction in the light which I do. They know and feel, that no circumstance in our situation, none in that of the enemy, can excuse a capitulation so dishonorable and unjustifiable. This too, is the universal sentiment among the troops; and I shall be surprised to learn, that there is one man, who thinks it was necessary to sheath his sword, or lay down his musket.

I was informed by Gen. Hull the morning after the capitulation, that the British forces consisted of 1800 regulars, and that he surrendered to prevent the effusion of human blood. That he magnified their regular force nearly five fold, there can be no doubt. Whether the philanthropic reason assigned by him is a sufficient justification for surrendering a fortified town, an army, and a territory, is for

the government to determine. Confident I am, that had the courage and conduct of the General been equal to the spirit and zeal of the troops, the event would have been as brilliant and successful as it now is disastrous and dishonorable.

Very respectfully sir, I have the honor to be, &c.

LEWIS CASS.

*Col. 3d. regiment Ohio volunteers.*

[*By the following Proclamation, it appears that Gen. Hull surrendered the whole of Michigan Territory, to Gen. Brock, although he has never made public any document to that effect !*]

### PROCLAMATION.

*By Isaac Brock, Esq. Major-General, commanding his majesty's forces in the province of Upper Canada.*

Whereas the Territory of Michigan was this day by capitulation, ceded to the arms of his Britannic majesty, without any other condition than the protection of private property ; and wishing to give an early proof of the moderation and justice of the government, I do hereby announce to all the inhabitants of the said Territory that the laws heretofore in existence shall continue in force until his majesty's pleasure be known, or so long as the peace and safety of the Territory will admit thereof. And I do hereby also declare and make known to the said inhabitants that they shall be protected in the full exercise and enjoyment of their religion ; of which all persons, both civil and military, will take notice and govern themselves accordingly.

All persons having in their possession, or having any knowledge of any public property, shall forthwith deliver in the same, or give notice thereof to the officer commanding, or to Lt. Col. Nichol, who are hereby authorized to receive and give proper receipts for the same.

Officers of militia will be held responsible that all arms in possession of militia-men be immediately delivered up ; and all individuals whatever, who have in their possession arms of any kind, will deliver them up without delay. Given under my hand at Detroit, this 16th day of August, 1812, and in the 52d year of his majesty's reign.

ISAAC BROCK, Major-General.

J. M'DONNELL, Lt. Col, Militia & A. D. C.

## A CARD.

Colonel Symmes, of the senior division of the Ohio militia, presents his respectful compliments to Major-General Brock, commanding his Britannic majesty's forces, *white and red* in Upper Canada.

Colonel Symmes, observing, that by the 4th article of the capitulation of Fort Detroit to Major-General Brock, all public arms moving towards Fort Detroit, are to be delivered up, but as no place of deposit is pointed out by the capitulation, *forty thousand stand of arms* coming within the description, are at the service of Major-General Brock if his excellency will condescend *to come and take them*.

## TRIAL OF GENERAL HULL.

*Adj. and Inspt. Gen. Office, Washington, April 25, 1814.*  
GENERAL ORDER.

The proceeding of the court martial, in the case of Wm. Hull, brigadeir-general in the army of the U. States, having been submitted to the President of the U. States, and having been approved by him, the following extract therefrom is ordered to be read at the head of each regiment of the army, and to be published in the National Intelligencer of this city.

By order,

(Signed) J. B. WALBACH, *Adj. General.*

At a general court martial (ordered by the President of the U. States) convened at Albany, in the state of N. York, on the 3d day of January, one thousand eight hundred and fourteen, and continued by adjournments, to the twenty-fifth day of March following, brigadier-General Wm. Hull, of the army of the U. States, was tried on the following charges and specifications, viz :

**CHARGE I.**—Charged Gen. Hull with treason against the U. States, between the 9th of April and 17th, of August, one thousand eight hundred and twelve.

**Specification first.**—Charged Gen. Hull with hiring an unarmed vessel, to convey his baggage, and papers, with the Declaration of War, his muster rolls, and instructions from the Secretary of War, from the Miami of the Lake to Detroit, for the purpose of falling into the hands of the British, which they captured the same day, with all on board ; and of holding traitorous correspondence with the enemy on the first day of July, 1812, while at the said Miami of the Lake.

*Specification second.*—Charged Gen. Hull, of unofficer-like and traitorous conduct, in neglecting to march his whole army, after he arrived at Sandwich, and take, or attempt to take fort Malden; and finally in conspiring with our enemies to quit and abandon the Province of Upper Canada on the 8th day of August; and of again holding correspondence with our enemies, and causing the army to recross the river to Detroit.

*Specification third.*—Charged Gen. Hull of traitorously conspiring and shamefully surrendering fort Detroit, with all the troops public stores, arms, and public Documents, on the 16th day of August, 1812, to the British forces.

**CHARGE II.**—Charged Gen. Hull with cowardice, at and in the neighbourhood of Detroit between the 1st of July, and the 17th of August, 1812.

*Specification first.*—Charged Gen. Hull with misbehaviour before the enemy, and shamefully manifesting an undue fear and apprehension of danger by a course of conduct and conversation evincing personal alarm, agitation of mind, and privation of judgment by hastily abandoning their territory, without any just or sufficient cause whatever.

*Specification second.*—Charged Gen. Hull on the 15th of August with personal misbehaviour and fear before the enemy, after they had commenced their cannonade on Detroit, by a course of conduct, and particularly by various timid and cowardly actions and expressions used and uttered in the presence of the army, as well in the public street of Detroit, as in posts and batteries near thereto.

*Specification third.*—Charged Gen. Hull on the 15th of August, with personal fear and cowardice, by avoiding all personal danger, or making an attempt, to prevent the enemy's crossing the river, or to prevent their landing by avoiding all personal danger, from reconnoitering or encountering the enemy on their march towards fort Detroit, and by hastily sending flags of truce to the enemy with overtures for capitulation; by anxiously withdrawing his person from the American troops to a place of safety; by forbidding the artillery to fire on the enemy; by calling in the troops, and crowding them into the fort; by a precipitate declaration to the enemy that he surrendered, before terms of capitulation were signed, considered, or even suggested.

*Specification fourth.*—Charged Gen. Hull, with shame-

fully and cowardly surrendering a fine army, in high spirits, well supplied with ammunition, arms, and provisions, by a disgraceful capitulation with the enemy, containing no stipulation for the security and protection of such of the inhabitants of Upper Canada, as had joined the American standard ; whereby the territorial sovereignty, rights, and property, were shamefully ceded to the enemy ; a brave and patriotic army wantonly sacrificed to the personal fear of the commander, and the service of the U. States suffered a great and afflicting loss.

**CHARGE III**—Charged Gen. Hull with neglect of duty and unofficerlike conduct, while commanding a separate army, between the 9th of April, and the 17th of August, 1812.

*Specification First*—Charged Gen. Hull with unofficerlike conduct, in neglecting and omitting to train, inspect, exercise, and order, the army under his command, whereby the army was exposed, to the hazard of disorder and defeat, in the event of an attack being made thereon by the enemy.

*Specification Second*—Charged Gen. Hull with neglect of duty and unofficerlike conduct, by hiring, or causing to be hired, an unarmed vessel to convey his baggage and papers, with his sick soldiers, and medicine stores, to Detroit, from the Miami of the Lake, on which passage the vessel and all on board fell into the hands of the enemy, informing him of the declaration of war, and the number, state, and condition of the army, to the great injury of the U. States.

*Specification Third*—Charged Gen. Hull with neglect of duty in neglecting to repair fort Detroit, and its armament, on his arrival, in such a manner as to be able to repel, and put to flight an enemy, in the event of an invasion and attack.

*Specification Fourth*—Charged Gen. Hull, with declaring and avowing an intention to invade the British province, and to invest and attack fort Malden, in the said province, and having taken possession of Sandwich, was guilty of neglect of duty, and unofficerlike conduct, in neglecting seasonably to repair, and have transported the guns, and gun carriages, which were necessary for the operations of the army against fort Malden ; by postponing in the first



instance, and by abandoning in the next, an investment and attack upon fort Malden ; and finally evacuating Upper Canada, without providing effectually in any respect, for the safety of the inhabitants thereof, who had accepted his invitation to join the American standard : and without attempting to accomplish his avowed design.

*Specification Fifth*—Charged Gen. Hull, of neglect of duty by not keeping open the communication between fort Detroit, and a military post at the river Raisin, which enabled the enemy totally to interrupt, and cut off all communications between said military posts, to the great disadvantage of the U. States service.

*Specification Sixth*—Charged Gen. Hull, with neglect of duty, in neglecting and omitting to maintain a bridge over the river Aux-Cannard, which afforded a fair opportunity for investing, and attacking fort Malden, whereby a prospect of a successful investment and attack upon the fort speedily vanished.

*Specification Seventh*—Charged Gen. Hull, with neglect of duty in not erecting batteries at the spring Wells, or preventing the enemy from erecting them on the opposite side of the river, whereby they were enabled to annoy fort Detroit, and to protect their army across the river, and enabled them to attack fort Detroit without opposition or loss, and to approach the said fort Detroit with the air and confidence of triumph.

A. J. DALLAS, *Judge Advocate.*

*January 5, 1814.*—The court met at the capitol pursuant to adjournment.

PRESENT—All the members.

*General Hull having appeared, the charges and specifications were read to him by the judge advocate, and being asked if he was ready to plead to them, answered that he was, and that he pleaded not guilty to all the charges and specifications.*

*March 25, 1814.*

All the evidence being read, (whether on the part of the prosecution or the defence,) applicable to the first charge, and the specifications attached to that charge, and after due deliberation had thereon, the court express the following opinion :

The accused having in his final defence, protested against the jurisdiction of the court to try the charge of treason, and the opinion of the court being, that the objection would have been tenable, if the same had been pleaded by the accused on his arraignment; and believing also, that the court cannot acquire jurisdiction of the offence by the waiver or consent of the accused, they decline making any formal decision on that charge. The evidence on the subject having, however, been publicly given, the court deem it proper, in justice to the accused, to say, that they do not believe from any thing that has appeared before them, that brigadier-general William Hull has committed treason against the U. States.

On the second charge, and the specifications attached to that charge, (after hearing all the evidence and defence, and after due deliberation thereon,) the court find brigadier-general William Hull guilty of the *first, second and fourth* specifications under that charge; and also guilty of the third specification under that charge, except that part which charges the said brigadier-general William Hull with "forbidding the American artillery to fire on the enemy on their march towards the said fort Detroit."

The court find the said brigadier-general William Hull guilty of the second charge.

On the third charge, the court after having heard the evidence, (as well as the defence,) and after due deliberation, find the said brigadier-general William Hull guilty of neglect of duty, and unofficer-like conduct, as charged in the first specification under this charge, in omitting, with sufficient care and frequency, to inspect, train, exercise, and order, and to cause to be trained, inspected, exercised and ordered the troops under his command, from the sixth day of July, until the seventeenth day of August, 1812: and acquit him of the residue of the charge contained in that specification.

The court acquit the said brigadier-general William Hull of the second and third specifications of the same charge.

The court find the said brigadier-general William Hull guilty of the whole of the fourth specification of that charge, except that part which charges him with not seasonably repairing, fitting, and transporting, or causing to be fitted, re-

paired, and transported, the guns and gun-carriages which were necessary to the operations of the war in the said British province of Upper Canada.

The court find the said brigadier-general William Hull guilty of so much of the fifth specification to that charge as relates to neglect of duty and unofficer-like conduct, in suffering his communication with the river Raisin and the state of Ohio, to be cut off, and sending major Van Horn to attempt to open the same with an adequate force; he the said brigadier-general William Hull, having reason to know or believe the same was insufficient; and the court acquit him of the residue of that specification.

The court find the said brigadier-general William Hull guilty of the *sixth* and *seventh* specifications of that charge.

The court find the said brigadier general William Hull guilty of the third charge.

The court then adjourned to meet to-morrow morning at 10 o'clock,

*March 26, 1814.*

The court met pursuant to adjournment.

**PRESENT**—*All the members.*

The court, in consequence of their determination respecting the second and third charges, and the specifications under these charges, exhibited against the said brigadier-general William Hull, and after due consideration, *do sentence him to be SHOT to death*, two thirds of the court concurring in the sentence.

The court, in consideration of brigadier-general Hull's revolutionary services, and his advanced age, earnestly recommend him to the mercy of the President of the U States.

The court then adjourned to meet on Monday morning next, at 10 o'clock.

*March 28, 1814.*—The court met pursuant to adjournment.—**PRESENT**—*All the members.*

The proceedings having been read over, and approved and signed by the President, the court then adjourned, sine die.

**H. DEARBORN.** *President of the court.*

**M. V. BUREN,** *special judge advocate.*

**PHILIP S. PARKER,** *Army judge advocate, assistant.*

*April 25, 1814*—The sentence of the Court is approved, and the execution of it remitted.

**JAMES MADISON,**

By directions of the court martial the President gave the following directions to General Hull :

*Albany, March 28, 1814.* Sir—You will please return to your usual place of residence in Massachusetts, and there continue until you shall receive orders from the President of the United States.

Your humble servant,

**H. DEARBORN**, President of the court martial.  
*Adj. and Insp. General's office, Washington Apr. 25, 1814.*

**GENERAL ORDER** The roll of the army is not to be longer dishonored by having upon it the name of brigadier General William Hull.

The general court martial of which Major-General Dearborn is President, is hereby dissolved. By order,

**J. B. WALBACH**, Adj. Gen.

### PORTER'S VICTORY.

*Capt. Porter to the Secretary of the Navy.*

U. S. F. Essex at sea, August 17, 1812.

**SIR**—I have the honor to inform you that on the 13th inst. his Britannic majesty's sloop of war Alert, Capt. T. P. Laugharne, ran down on our weather quarter, gave three cheers, and commenced an action (if so trifling a skirmish deserves the name) and after 8 minutes firing struck her colors, with 7 feet water in her hold, and much cut to pieces, and three men wounded.

I need not inform you that the officers and crew of the Essex behaved as I trust all Americans will in such cases, and it is only to be regretted that so much zeal and activity could not have been displayed on an occasion which would have done them more honor. The Essex has not received the slightest injury.

The Alert was out for the purpose of taking the Hornet! I have the honor to be, &c.

**DAVID PORTER.**

*Capt. Porter to the Secretary of the Navy.*

U. S. F. Essex, at sea, August 20.

**SIR**—Finding myself much embarrassed by the Alert, from the great number of prisoners we have already made, [about 500] I concluded that before our arrival in America, the number would be considerably augmented, and as soon as I found my provisions and water getting short, and be-

ing well satisfied that a plan had been organized by them for rising on the ship in the event of an engagement ; I considered it to be the interest of my country to get clear of them as speedily as possible, particularly as I was well assured that immediately on their arrival in St. Johns an equal number of my countrymen would be released and find a sure and immediate conveyance. I therefore drew up written stipulations corresponding with the accompanying letters ; threw all the guns of the *Alert* overboard ; withdrew from her all the men belonging to the *Essex* ; appointed Lieut. J. P. Wilner to command her as a cartel, put all my prisoners on board of her, and dispatched her for St. Johns, in Newfoundland, with orders to proceed from thence to New-York with such Americans as he may receive in exchange.

At a more suitable opportunity I shall do myself the honor to lay before you copies of every paper relative to this transaction, and sincerely hope that my conduct in this affair may meet with your approbation.

As the *Essex* has been so annoying about Bermuda, Nova Scotia, and Newfoundland, I expect I shall have to run the gauntlet through their cruisers ; you may however rest assured that all a ship of her size can do shall be done, and whatever may be our fate, our countrymen shall never blush for us.

I have the honor to be, &c.

D. PORTER.

*Capt. Tayler to Gen. Harrison.*

FORT HARRISON, Sept. 10, 1812.

Dear Sir—On Thursday evening, the 3d inst. after retreat beating, four guns were heard to fire in the direction where two young men (citizens who resided here) were making hay, about 400 yards distant from the fort. I was immediately impressed with an idea that they were killed by the Indians, as I had that day been informed that the Prophet's party would soon be here for the purpose of commencing hostilities. Prudence induced me to wait until 8 o'clock the next morning, when I sent out a corporal with a small party to find them, which he soon did ; they had been each shot with two balls, and scalped and cut in the most shocking manner. I had them brought in and buried.

In the evening of the 4th inst. old Joseph Lenar; and between 30 and 40 Indians arrived from the Prophet's town, with a white flag; among whom were about ten women: the men were composed of chiefs of the different tribes that compose the Prophet's party. A Shawanoe man, that spoke good English, informed me that old Lenar intended to speak to me next morning, and try to get something to eat. At retreat beating, I examined the men's arms, and found them all in good order, and completed their cartridges to 16 rounds per man. As I had not been able to mount a guard of more than six privates and two non-commissioned officers, for some time past, and sometimes part of them every other day, from the unhealthiness of the company; I had not conceived my force adequate for the defence of this post, should it be vigorously attacked. I had just recovered from a very severe attack of the fever, and was not able to be up much through the night. After tattoo I cautioned the guard to be vigilant, and ordered one of the non-commissioned officers, as centinels could not see every part of the garrison, to walk around on the inside during the whole night, to prevent the Indians taking any advantage of us, provided they had any intention of attacking us. About 11 o'clock, I was awakened by the firing of one of the centinels; I sprang up, run out, and ordered the men to their posts; when my orderly sergeant (who had charge of the upper block house) called out that the Indians had fired the lower block house (which contained the property of the contractor, which was deposited in the lower part, the upper part having been assigned to a corporal and ten privates, as an alarm post.) The guns had begun to fire pretty smartly from both sides. I directed the buckets to be got ready, and water brought from the well, and the fire extinguished immediately, as it was hardly perceivable at that time; but from debility or some other cause, the men were very slow in executing my orders—the word *fire* appeared to throw the whole of them into confusion; and by the time they had got the water, and broken open the door, the fire had unfortunately communicated to a quantity of whiskey (the *stock* having *licked* several holes through the lower part of the building, after the salt that was stored there, through which they had introduced the fire without being discovered, as the night was very dark,) and in spite

of every exertion we could make use of, in less than a moment it ascended to the roof and baffled all our efforts to extinguish it. As that block house adjoined the barracks that make part of the fortifications, most of the men immediately gave themselves up for lost, and I had the greatest difficulty in getting any of my orders executed—and, sir, what from the raging of the fire—the yelling and howling of several hundred Indians—the cries of nine women and children (a part soldiers' and a part citizens wives, who had taken shelter in the fort)—and the desponding of so many of the men, which was worse than all, I can assure you that my feelings were very unpleasant; and indeed there were not more than 10 or 15 men able to do a great deal, the others being either sick or convalescent—and to add to our other misfortunes, two of the stoutest men in the fort, and that I had every confidence in, jumped the picket and left us. But my presence of mind did not for a moment forsake me. I saw, by throwing off part of the roof that joined the block house that was on fire, and keeping the end perfectly wet, the whole row of buildings might be saved, and leave only an entrance of 18 or 20 feet for the Indians to enter after the house was consumed; and that a temporary breast-work might be erected to prevent their even entering there. I convinced the men that this could be accomplished, and it appeared to inspire them with new life, and never did men act with more firmness and desperation. Those that were able (while the others kept up a constant fire from the other block house, and the two bastions) mounted the roofs of the houses with Dr. Clark at their head, who acted with the greatest firmness and presence of mind, the whole time the attack lasted, which was 7 hours, under a shower of bullets, and in a moment threw off as much of the roof as was necessary. This was done only with the loss of one man, and two wounded, and I am in hopes neither of them dangerous.—The man that was killed was a little deranged, and did not get off the house as soon as directed, or he would not have been hurt; and although the barracks were several times in a blaze, and an immense quantity of fire against them, the men used such exertions that they kept it under, and before day raised a temporary breast-work as high as a man's head; although the Indians continued to pour in a heavy fire of

ball, and an innumerable quantity of arrows, during the whole time the attack lasted. I had but one other man killed inside the fort, and he lost his life by being too anxious; he got into one of the galleries of the bastions, and fired over the pickets, and called out to his comrades that he had killed an Indian, and neglecting to stoop down, in an instant he was shot dead. One of the men that jumped the pickets, returned an hour before day, and running up towards the gate, begged for God's sake for it to be opened. I suspected it to be a stratagem of the Indians to get in, as I did not recollect the voice—I directed the men in the bastion, where I happened to be, to shoot him let him be who he would, and one of them fired at him, but fortunately he run up to the other bastion, where they knew his voice, and Dr. Clark directed him to lie down close to the pickets behind an empty barrel that happened to be there, and at day light I had him let in. His arm was broken in a most shocking manner, which he says was done by the Indians—which I suppose was the cause of his returning—I think it probable that he will not recover. The other, they caught about 120 yards from the garrison, and cut him all to pieces. After keeping up a constant fire until about six o'clock the next morning, which we returned with some effect; after day light, they removed out of the reach of our guns. A party of them drove up the horses that belonged to the citizens here, and as they could not catch them very readily, shot the whole of them in our sight, as well as a number of their hogs. They drove off the whole of the cattle, which amounted to sixty-five head, as well as the public oxen. I had the vacancy filled up before night, (which was made by the burning of the block house) with a strong row of pickets, which I got by pulling down the guard house. We lost the whole of our provisions, but must make out to live upon green corn until we can get a supply, which I am in hopes will not be long. I believe the whole of the Miamies, or Weas, were among the Prophet's party, as one chief gave his orders in that language, which resembled Stone Eater's voice, and I believe Negro Legs was there likewise. The Indians suffered smartly, but were so numerous as to take off all that were shot.

Z. TAYLOR.



*Copy of a letter from Major Thomas S. Jessup and James Taylor Q. M. Gen. N. W. Army to a gentleman in Washington City, dated*

*Chillicothe, (Ohio) Oct. 7, 1812.*

Sir—Your letter has been received, requesting from us a corroboration of Col. Cass's statement to the Secretary of War, of the surrender of the north-western army. We have read the Colonel's statement with attention, and find it a pretty correct history of our situation, although we have observed that some important facts have been omitted. We have also read and examined the official report of Gen. Hull, and have found it abounding with inaccuracies and misstatements; the General has not only underrated his own force, but has, in our opinion, magnified infinitely that of the enemy, and enumerated dangers and difficulties that existed only in imagination.

That the means within our power were not properly applied is a melancholy fact; and that the army was unnecessarily sacrificed, and the American arms disgraced none but the base and cowardly will attempt to deny.

You are authorised to make what use you may think proper of this letter.

We are with much respect, &c.

THOMAS S. JESSUP,

*Brigade Major N. W. Army.*

JAMES TAYLOR,

*Q. M. Gen. N. W. Army.*

*Skirmishing*—Capt. Williams, on the 30th of August, with 21 men, and two waggons, while proceeding from St. Mary's to St. John's river, was attacked by an ambuscading party of Indians, who killed one man and wounded six, including Capt. Williams, who received seven wounds; three through one hand, and four in one leg.—He effected a retreat about 200 yards to a swamp, where he made a stand, and fought until all the ammunition was expended on both sides, when the Indians made an attempt with their tomahawks, which this little band soon put a stop to, by charging bayonet, and rushing on them. The Indians destroyed one waggon and took the other to carry off their killed and wounded. Capt. Williams then proceeded to St. John's with his well and wounded, excepting one man,

who was not able to travel. The next day a party of Indians returned to the spot, when the wounded man rose up as well as he could, and called upon his party to rush upon the Indians, which startled them in such a manner that one of them sprung from his horse, which the wounded man caught and arrived safe at St. John's.

Capt. Forsyth, with 70 of his rifle company, and 34 militia volunteers, on the night of the 20th September, 1812, went over to a small village called Gananoque in the town of Leeds, from Cape Vincent, for the purpose of destroying the kings store house at that place. They landed unobserved, but were soon discovered by a party of regulars of about 125, and fired upon.—Capt. Forsyth returned the fire with such spirit, that the enemy were obliged to retreat to the village, where they were reinforced by a number of militia, and again rallied, but finding the contest too sanguine, retreated the second time in disorder, leaving 10 killed and 8 regulars and a number of militia prisoners: Captain Forsyth had only one man killed and one slightly wounded. After destroying the store house, with a quantity of flour and pork, our little band of heroes, returned to Cape Vincent, taking with them the prisoners, 60 stand of arms, two barrels of fixed ammunition, one barrel of powder, one barrel of flints, and a quantity of other public property taken from the store-house.

On the 4th of October, about forty British boats escorted by two gun boats, attempted to pass from Johnstown to Prescott, by Ogdensburg.—On their leaving Johnstown, the batteries at Prescott opened on Ogdensburg, and kept up a brisk fire, which was returned in a spirited manner, and continued two hours. The next morning the enemy commenced a heavy cannonade on us from Prescott, which was continued with little intermission, through the day without any return from us; General Brown considered it useless to fire such a distance. The enemy was very busy during the day in preparing for an attack on Ogdensburg—the next morning about 10 o'clock, 25 boats, aided by two gun boats moved up the river three quarters of a mile, when they tacked and stood over for our shore. As soon as the boats changed their course, the batteries from Prescott opened their fire upon us, which was not answered till

the boats had advanced to about the middle of the river, when our batteries commenced a tremendous fire upon them, which destroyed three, and caused the remainder to seek shelter under the batteries of Prescott. Cols. Lethridge and Breckenridge, led the British. There was not one man either killed or wounded on our side, whilst the enemy lost twelve killed and twenty wounded.

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*Affair at St. Regis.*—Major Young, of the Troy, N. Y. militia, stationed at French Mills, on the St. Regis river, having received intelligence that a party of the enemy had arrived at, and taken possession of St. Regis village, marched a detachment, on the night of the 21st October, which crossed the river about 3 o'clock, and arrived within half a mile of the village by 5 in the morning, unobserved by the enemy. Here the Major made such a judicious disposition of his force, that the enemy were entirely surrounded, when a few discharges caused them to surrender, after having 5 killed, and several wounded.—The result of this affair was forty prisoners, with their arms, equipments, &c. one stand of colors, and two batteaux, without having one man hurt, on our side.

Major Young had the honor of taking the first standard from the enemy in the present war.

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*Captain Elliot to the Secretary of the Navy.*

BLACK ROCK, Oct. 9, 1812.

SIR—I have the honor to inform you that on the morning of the 8th inst. two British vessels, which I was informed were his Britannic majesty's brig *Detroit*, late the U. States brig *Adams*, and the brig *Hunter*, mounting 14 guns, but which afterwards proved to be the brig *Caledonia*, both said to be well armed and manned, came down the Lake and anchored under the protection of Fort Erie. Having been on the lines for some time and in a measure inactively employed, I determined to make an attack, and if possible to get possession of them. A strong inducement to this attempt arose from a conviction that with these two vessels added to those which I have purchased and am fitting out, I should be able to meet the remainder of the British force on the Upper Lakes, and save an incalculable expense and labor to the government. On the morning of their arrival I heard that our seamen were but a short dis-

tance from this place, and immediately dispatched an Express to the officers, directing them to use all possible dispatch in getting their men to this place, as I had important service to perform. On their arrival, which was about 12 o'clock I discovered that they had only 20 pistols and neither cutlasses nor battle axes. But on application to Generals Smith and Hall of the regulars and militia, I was supplied with a few arms, and Gen. Smith was so good on my request as immediately to detatch fifty men from the regulars, armed with muskets.

By 4 o'clock in the afternoon, I had my men selected and stationed in two boats, which I had previously prepared for the purpose. With these boats, 50 men in each, and under circumstances very disadvantageous, my men having scarcely had time to refresh themselves after a fatiguing march of 500 miles, I put off from the mouth of Buffalo creek, at 1 o'clock the following morning, and at 3 I was along side the vessels. In the space of about ten minutes I had the prisoners all secured, the topsails sheeted home, and the vessels under way. Unfortunately the wind was not sufficiently strong to get me up against a rapid current into the Lake, where I had understood another armed vessel lay at anchor, and I was obliged to run down the river by the Forts, under a heavy fire of round, grape, and canister, from a number of pieces of heavy ordnance, and several pieces of flying artillery and compelled to anchor at a distance of about 400 yards from two of their batteries. After the discharge of the first gun, which was from the flying artillery, I hailed the shore, and observed to the officer, that if another gun was fired I would bring the prisoners on deck, and expose them to the same fate we would all share—but notwithstanding, they disregarded the caution and continued a constant and destructive fire. One single moment's reflection determined me not to commit an act that would subject me to the imputation of barbarity. The Caledonia had been beached, in as safe a position as the circumstances would admit of, under one of our batteries at the Black Rock. I now brought all the guns of the Detroit on one side next the enemy, stationed the men at them, and directed a fire which was continued as long as our ammunition lasted and circumstances permitted. During the contest I endeavored to get the Detroit on our side by sending a

line, there being no wind, on shore, with all the line I could muster ; but the current being so strong, the boat could not reach the shore. I then hailed our shore, and requested that warps should be made fast on land, and sent on board, the attempt to all which again proved useless. As the fire was such as would, in all probability, sink the vessel in a short time, I determined to drift down the river out of the reach of the batteries, and make a stand against the flying artillery. I accordingly cut the cable, made sail with very light airs, and at that instant discovered that the pilot had abandoned me. I dropped astern for about 10 minutes, when I was brought up on our shore on Squaw Island—got the boarding boat ready, had the prisoners put in and sent on shore, with directions for the officer to return for me and what property we could get from the brig. He did not return, owing to the difficulty in the boat's getting on shore. Discovering a skiff under the counter, I put the four remaining prisoners in the boat, and with my officers I went on shore to bring the boat off. I asked for protection to the brig of Lieut. Col. Scott who readily gave it. At this moment I discovered a boat with about 40 soldiers from the British side, making for the brig. They got on board, but were soon compelled to abandon her, with the loss of nearly all their men. Major Ormsbee, commandant of Fort Erie, and 30 privates were killed, while on board. During the whole of this morning both sides of the river kept up alternately a continual fire on the brig, and so much injured her that it was impossible to have floated her. Before I left her, she had several shot of large size in her bends, her sails in ribbons, and rigging all cut to pieces.

To my officers and men I feel under great obligation. To Capt. Towson and Lieut. Roach of the 2d regiment, of artillery, Ensign Prestman of the infantry, Capt. Chapin, Mr. John M'Comb, Messrs. John Town, Thomas Dain, Peter Overstocks, and James Sloan, resident gentlemen of Buffalo, for their soldier and sailor like conduct. In a word, sir, every man fought as if with their hearts animated only by the interest and honor of their country.

The prisoners I have turned over to the military. The Detroit mounted fourteen long guns, and two small guns, blunderbusses, pistols, muskets, cutlasses, and boarding pikes.

The Caledonia belongs to the N. W. Company, loaded with furs worth I understood \$200,000.

I have the honor to be, &c.

JESSE D. ELLIOT.

AMERICAN LOSS.

Killed 2—wounded 6.

BRITISH LOSS.

Killed 31—Prisoners 111.

*Extract of a letter from Capt. Heald,*

Dated Pittsburg, Oct. 23, 1812.

On the 9th of August last, I received orders from Gen. Hull to evacuate the post and proceed with my command to Detroit by land, leaving it at my discretion to dispose of the public property as I thought proper. The neighboring Indians got the information as early as I did, and came in from all quarters in order to receive the goods in the factory store which they understood were to be given them. On the 13th, Capt. Wells, of fort Wayne, arrived with about 30 Miamies, for the purpose of escorting us in, by the request of General Hull. On the 14th I delivered the Indians all the goods in the factory store, and a considerable quantity of provisions which we could not take away with us. The surplus, and ammunition I thought proper to destroy, fearing they would make bad use of it if put in their possession. I also destroyed all the liquor on hand soon after they began to collect. The collection was unusually large for that place, but they conducted with the strictest propriety till after I left the fort. On the 15th, at 9 in the morning, we commenced our march; a part of the Miamies were detached in front and the remainder in our rear, as guards, under the direction of Capt. Wells. The situation of the country rendered it necessary for us to take the beach, with the lake on our left, and a high sand bank on our right, at about 100 yards distance. We had proceeded about a mile and a half, when it was discovered that the Indians were preparing to attack us from behind the bank. I immediately marched up with the company to the top of the bank, when the action commenced; after firing one round, we charged, and the Indians gave way in front and joined those on our flanks. In about 15 minutes they got possession of all our horses, provisions, and

baggage of every description, and finding the Miamies did not assist us, I drew off the men I had left and took possession of a small elevation in the open prairie out of shot of the bank or any other cover. The Indians did not follow me, but assembled in a body on the top of the bank, and, after some consultation among themselves, made signs for me to approach them. I advanced towards them alone and was met by one of the Potawattamie chiefs called the Black Bird, with an interpreter. After shaking hands, he requested me to surrender, promising to spare the lives of all the prisoners. On a few moments consideration, I concluded it would be most prudent to comply with his request, although I did not put entire confidence in his promise. After delivering up our arms, we were taken back to their encampment near the fort, and distributed among the different tribes. The next morning they set fire to the fort and left the place, taking the prisoners with them. Their number of warriors was between four and five hundred, mostly of the Potawattamie nation, and their loss, from the best information I could get, was about 15. Our strength was 54 regulars and 12 militia, out of which 26 regulars, and all the militia were killed in the action, with two women and twelve children. Ensign George Ronan, and Dr. Isaac V. Van Voorhis of my company, with Capt. Wells of fort Wayne, are to my great sorrow, numbered among the dead. Lieut. Lina T. Helm, with 25 non-commisioned officers and privates, and 11 women and children, were prisoners when we were separated. Mrs. Heald and myself were taken to the mouth of the river St. Joseph, and, being both badly wounded, were permitted to reside with Mr. Burnet, an Indian trader. In a few days after our arrival there, the Indians all went off to take fort Wayne, and in their absence I engaged a Frenchman to take us to Michilimackinac by water, where I gave myself up as a prisoner of war, with one of my sergeants. The commanding officer, Capt. Roberts, offered me every assistance in his power to render our situation comfortable while we remained there, and to enable us to proceed on our journey. To him I gave my parole of honor and came on to Detroit and reported myself to Col. Proctor, who gave us a passage to Buffaloe; from that place I came by the way of Presque Isle and arrived here yesterday.

*Letter from Mr. S. T. Anderson enclosing one from Com. Chauncey to the Secretary of the Navy.*

Sackett's Harbor, Nov. 13, 1812.—at night.

SIR—Since the enclosed letter from the Commodore was written, the Growler has returned with a prize, and in her Captain Brock, brother to the late General of that name, with the baggage of the latter. By the prize we learned that the Earl Moira was off the False Ducks, and the Commodore has put off in a snow storm in the hope of cutting her off from Kingston.

From information received from Capt. Brock, there is no question but that Kingston is very strongly defended. He expressed surprise to find our vessels had got out of the harbor after having been it; and says that the regiment to which he belongs is quartered there, 500 strong, besides other regulars, and a well appointed militia. The resistance made fully justifies this report. Be assured, sir, that in the action of which the Commodore has given you an account, the national honor has been most ably supported.

In great haste, &c.

SAMUEL T. ANDERSON.

*Com. Chauncey to the Secretary of the Navy.*

Sackett's Harbor, Nov. 13, 1812.

SIR—I arrived here last evening in a gale of wind, the pilots having refused to keep the lake. On the 8th I fell in with the Royal George, and chased her into the bay of Quanti, where I lost sight of her in the night. On the morning of the 9th, we again got sight of her lying in Kingston channel. We gave chase, and followed her into the harbor of Kingston, where we engaged her and the batteries for one hour and 45 minutes. I had made up my mind to board her, but she was so well protected by the batteries, and the wind blowing directly in, it was deemed imprudent to make the attempt at that time; the pilots also refused to take charge of the vessel. Under these circumstances, and it being after sun down, I determined to haul off and renew the attack next morning. We beat up in good order under a heavy fire from the Royal George and batteries, to 4 mile point, where we anchored. It blew heavy in squalls from the westward during the night, and there was every appearance of a gale of wind. The pilots became alarmed, and I thought it most prudent to



get into a place of more safety. I therefore (very reluctantly) deferred renewing the attack upon the ships and forts until a more favorable opportunity.

In our passage through the bay of Quanti, I discovered a schooner at the village of Armingstown, which we took possession of, but finding she would detain us (being then in chase of the *Royal George*) I ordered Lieut. Macpherson to take out her sails and rigging and burn her, which he did. We also took the schooner *Mary, Hall*, from Niagara, at the mouth of Kingston harbor, and took her with us to our anchorage. The next morning, finding that she could not beat through the channel with us, I ordered the sailing master of the *Growler* to take her under convoy and run down past Kingston, anchor on the east end of Long Island, and wait for a wind to come up on the east side. I was also in hopes that the *Royal George* might be induced to follow for the purpose of retaking our prize, but her commander was too well aware of the consequences to leave his moorings.

We lost in this affair one man killed, and three slightly wounded, with a few shot in our sails. The other vessels lost no men and received but little injury in their hulls and sails, with the exception of the *Pert*, whose gun bursted in the early part of the action, and wounded her commander (sailing master Arundel) badly, and a midshipman and three men slightly. Mr. Arundel, who refused to quit the deck although wounded, was knocked overboard in beating up to our anchorage, and, I am sorry to say, was drowned.

The *Royal George* must have received very considerable injury in her hull and in men, as the gun vessels with a long 32 pounder were seen to strike her almost every shot; and it was observed that she was reinforced with troops four different times during the action.

It was thought by all the officers in the squadron that the enemy had more than thirty guns mounted at Kingston, and from 1000 to 1,300 men. The *Royal George* protected by this force was driven into the inner harbor, under the protection of the musketry, by the *Oneida*, and four small schooners fitted out as gun boats; the Governor Tompkins not having been able to join in the action until about sun-

down, owing to the lightness of the winds, and the Pert's gun having burst the second or third shot.

I have the honor to be, &c.

ISAAC CHAUNCEY.

*Gen. Van Rensselaer to the Secretary of War.*

H. Q. LEWISTOWN, October 14, 1812.

SIR—As the movements of the army under my command, since I had the honor to address you on the 8th inst. have been of a very important character, producing consequences serious to many individuals; establishing facts actually connected with the interest of the service and safety of the army; and as I stand prominently responsible for some of these consequences, I beg leave to explain to you, sir, and through you to my country, the situation and circumstances in which I have had to act, and the reasons and motives which governed me; and if the result is not all that might have been wished, it is such, that when the whole ground shall be viewed, I shall cheerfully submit to the judgment of my country.

In my letter of the 8th inst. I apprized you that a crisis in this campaign was rapidly advancing; and that (to repeat the same words) '*the blow must be soon struck, or all the toil and expence of the campaign go for nothing; and worse than nothing, for the whole will be tinged with dishonor.*'

Under such impressions, I had on the 5th inst. written to Brigadier-Général Smyth, of the U. States' forces requesting an interview with him, Major-General Hall, and the commandants of the U. States' regiments, for the purpose of conferring upon the subject of future operations. I wrote Major-General Hall to the same purport. On the 11th, I had received no answer from Gen. Smyth; but in a note to me on the 10th, Gen. Hall mentioned that Gen. Smyth had not yet then agreed upon any day for consultation.

In the mean time, the partial success of Lieut. Elliot, at Black Rock, (of which however, I have received no official information) began to excite a strong disposition in the troops to act. This was expressed to me through various channels in the shape of an *alternative*; that they must have *orders to act*; or at all hazards, they *would go home*. I

forbear here commenting upon the obvious consequences to me personally, of longer withholding my orders under such circumstances.

I had a conference with——as to the possibility of getting some person to pass over to Canada and obtain correct information. On the morning of the 4th, he wrote to me that he had procured the man who bore his letter to go over. Instructions were given him; he passed over—obtained such information as warranted an immediate attack. This was confidently communicated to several of my first officers, and produced great zeal to act; more especially as it might have a controlling effect upon the movements at Detroit, where it was supposed Gen. Brock had gone with all the force he dared spare from the Niagara frontier. The best preparations in my power were, therefore, made to dislodge the enemy from the Heights of Queenston, and possess ourselves of the village, where the troops might be sheltered from the distressing inclemency of the weather.

Lieut. Col. Fenwick's flying artillery, and a detachment of regular troops under his command, were ordered to be up in season from Fort Niagara. Orders were also sent to Gen. Smyth to send down from Buffaloe, such detachments of his brigade as existing circumstances in that vicinity might warrant. The attack was to have been made at 4 o'clock in the morning of the 11th, by crossing over in boats from the old ferry opposite the Heights. To avoid any embarrassment in crossing the river, (which is here a sheet of violent eddies) experienced boatmen were procured to take the boats from the landing below to the place of embarkation. Lieut. Sim was considered the man of greatest skill for this service. He went ahead, and in the extreme darkness, passed the intended place far up the river; and there, in a most extraordinary manner fastened the boat to the shore and abandoned the detachment. In the front boat he had carried nearly every oar which was prepared for all the boats. In this agonizing dilemma, stood officers and men whose ardor had not been cooled by exposure through the night to one of the most tremendous north-east storms, which continued unabated, for 28 hours, and deluged the whole camp. The approach of day light extinguished every prospect of success, and the detachment returned to camp. Col. Van, Rensselaer was to have commanded the detachment,

After this result, I had hoped the patience of the troops would have continued until I could submit the plan suggested in my letter of the 8th, that I might act under, and in conformity to the opinion that might be then expressed. But my hope was idle ; the previously excited ardor seemed to gain new heart from the late miscarriage—the brave were mortified to stop short of their object, and the timed thought laurels half won by an attempt.

On the morning of the 12th, such was the pressure upon me from all quarters, that I became satisfied that my refusal to act might involve me in suspicion and the service in disgrace.

Viewing affairs at Buffalo as yet unsettled, I had immediately countermanded the march of General Smyth's brigade, upon the failure of the first expedition ; but having now determined to attack Queenston, I sent new orders to Gen. Smyth to march ; not with the view of his aid in the attack, for I considered the force detached sufficient, but to support the detachment should the conflict be obstinate and long continued.

Lieut. Col. Chrystie, who had just arrived at the four mile Creek, had late in the night of the first contemplated attack, gallantly offered me his own and his men's service ; but he got my permission to late. He now again came forward ; had a conference with Col. Van Rensselaer, begged that he might have the honor of a command in the expedition. The arrangement was made. Col. Van Rensselaer was to command one column of 300 militia ; and Lieut. Col. Chrystie a column of the same number of regular troops.

Every precaution was now adopted as to boats, and the most confidential and experienced men to manage them. At an early hour in the night, Lieut. Col. Chrystie marched his detachment, by the rear road, from Niagara to camp. At 7 o'clock in the evening, Lieut. Col. Stranahan's regiment moved from Niagara falls—at 8 o'clock. Mead's—and at 9 Lieut. Col. Blan's regiment marched from the same place. All were in camp in good season. Agreeably to my orders issued upon this occasion, the two columns were to pass over together ; and as soon as the heights should be carried, Lieut. Col. Fenwick's flying artillery was to pass over ; then Maj Mullany's detachment of regulars ; and other troops to follow in order.

At dawn of day the boats were in readiness, and the troops commenced embarking, under the cover of a commanding battery, mounting two eighteen pounders, and two sixes. The movements were soon discovered, and a brisk fire of musketry was poured from the whole line of the Canadian shore. Our batteries then opened to sweep the shore; but it was for some minutes, too dark to direct much fire with safety. A brisk cannonade was now opened upon the boats from three different batteries. Our battery returned their fire and occasionally threw grape upon the shore, and was itself served with shells from a small mortar of the enemy's. Col. Scott, of the artillery, by hastening his march from Niagara Falls in the night, arrived in season to return the enemy's fire with two six pounders.

The boats were somewhat embarrassed with the eddies, as well as with a shower of shot; but Col. Van Rensselaer, with about 100 men, soon effected his landing amidst a tremendous fire directed upon him from every point; but to the astonishment of all who witnessed the scene, this van of the column advanced slowly against the fire. It was a serious misfortune to the van, and indeed to the whole expedition, that in a few minutes after landing, Col. Van Rensselaer received four wounds—a ball passed through his right thigh, entering just below the hip bone—another shot passed through the same thigh, a little below—the third through the calf of his leg—and a fourth cartused his heel. This was quite a crisis in the expedition. Under so severe a fire it was difficult to form raw troops. By some mismanagement of the boatmen, Lieut. Col. Chrystie did not arrive until some time after this, and was wounded in the hand in passing the river. Col. Van Rensselaer was still able to stand; and with great presence of mind ordered his officers to proceed with rapidity and storm the fort. This service was gallantly performed, and the enemy driven down the hill in every direction. Soon after this both parties were considerably reinforced, and the conflict was renewed in several places—many of the enemy took shelter behind a stone guard-house, where a piece of ordnance was now briskly served. I ordered the fire of our battery directed upon the guard-house; and it was so effectually done, that with 8 or 10 shot the fire was silenced. The enemy then retreated behind a large store house; but in a

short time the rout became general, and the enemy's fire was silenced except from a one gun battery, so far down the river as to be out of the reach of heavy ordnance, and our light pieces could not silence it. A number of boats now passed over unannoyed, except from one unsilenced gun. For some time after I had passed over, the victory appeared complete; but in the expectation of further attacks, I was taking measures for fortifying my camp immediately—the direction of this service I committed to Lieut. Totten, of the engineers. But very soon the enemy were reinforced by a detachment of several hundred Indians from Chippewa—they commenced a furious attack, but were promptly met and routed by the rifle and bayonet. By this time I perceived my troops were embarking very slowly. I passed immediately over to accelerate their movements; but to my utter astonishment, I found at the very moment when complete victory was in our hands, the ardor of the unengaged troops had entirely subsided. I rode in all directions—urged men by every consideration to pass over—but in vain. Lieut. Col. Bloom, who had been wounded in action, returned, mounted his horse, and rode through the camp; as did also Judge Peck, who happened to be here, exhorting the companies to proceed—but all in vain.

At this time a large reinforcement from Fort George were discovered coming up the river. As the battery on the hill was considered an important check against their ascending the heights, measures were immediately taken to send them a fresh supply of ammunition, as we had learnt there was left only twenty shot for the eighteen pounders. The reinforcement, however, obliques to the right from the road, and formed a junction with the Indians in the rear of the heights. Finding, to my infinite mortification, that no reinforcement would pass over; seeing that another severe conflict must soon commence; and knowing that the brave men on the heights were quite exhausted, and nearly out of ammunition, all I could do was to send them a fresh supply of cartridges. At this critical moment, I despatched a note to Gen. Wadsworth, acquainting him with our situation—leaving the course to be pursued much to his own judgment—with assurance, that if he thought best to retreat, I would endeavor to send as many boats as I could com-

mand, and cover his retreat by every fire I could safely make. But the boats were dispersed—many of the boatmen had fled, panic struck—and but few got off. But my note could but little more than have reached Gen. Wadsworth about 4 o'clock, when a most severe and obstinate conflict commenced and continued about half an hour with a tremendous fire of cannon, flying artillery and musketry. The enemy succeeded, in repossessing their battery; and gaining advantage on every side, the brave men who had gained the victory, exhausted of strength and ammunition, and grieved at the unpardonable neglect of their fellow-soldiers, gave up the conflict.

I can only add, that the victory was really won; but lost for the want of a small reinforcement. *One third part of the idle men might have saved all.*

I cannot in justice close this without expressing the very great obligation I am under to Brigadier-General Wadsworth, Col. Van Rensselaer, Col. Scott, Lieut. Cols. Chrystie and Fenwick, and Capt. Gibson. Many others have also behaved most gallantly. As I have reason to believe that many of our troops fled to the woods, with the hope of crossing the river, I have not been able to learn the probable number of killed, wounded and prisoners.\* The enemy have suffered severely.

GENERAL BROCK, is among their slain, and his *aid-de-camp* mortally wounded.

I have the honor to be, &c.

STEPHEN VAN RENSSELAER.

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## CHAPTER V.

*Documents accompanying the President's Message of  
November 4, 1812.*

*Mr. Monroe to Mr. Russell.*

DEPARTMENT OF STATE, July 27, 1812.

SIR—I wrote you on the 26th of June, by Mr. Foster, a letter which he promised to deliver to you in person or by a safe hand.

\* It is since ascertained that 90 regulars and militia were killed, and 396 regulars and 372 militia, 82 being wounded, made prisoners.

In that letter you were informed, that the Orders in Council, and other illegal blockades, and the impressment of our seamen by Great-Britain, as you well knew before, were the principal causes of the war, and that if they were removed, you might stipulate an armistice, leaving them and all other grounds of difference, for final and more precise adjustment by treaty. As an inducement to the British government to discontinue the practice of impressment from our vessels, by which alone our seamen can be made secure, you were authorised to stipulate a prohibition by law, to be reciprocal, of the employment of British seamen in the public or commercial service of the U. States. As such an arrangement, which might be made completely effectual and satisfactory by suitable regulations and penalties, would operate almost exclusively in favor of Great-Britain, for as few of our seamen ever enter voluntarily into the British service, the reciprocity would be nominal; its advantage to G. Britain would be more than an equivalent for any she derives from impressment, which alone ought to induce her to abandon the practice, if she had no other motive for it. A stipulation to prohibit by law the employment of British seamen in the service of the U. States, is to be understood in the sense and spirit of the constitution. The passage of such law must depend of course on Congress, who, it might reasonably be presumed, might give effect to it.

By authorising you to secure these objects as the grounds of an armistice, it was not intended to restrict you to any precise form in which it should be done. It is not particularly necessary that the several points should be specially provided for in the convention stipulating the armistice. A clear and distinct understanding with the British government on the subject of impressment, comprising in it the discharge of men already impressed, and on future blockades, if the Orders in Council are revoked, is all that is indispensable. The Orders in Council being revoked, and the proposed understanding on the other points, that is, on blockades and impressment, being first obtained, in a manner, though informal, to admit of no mistake or disagreement hereafter, the instrument providing for the armistice may assume a general form especially if more agreeable to the British government. It may for example



be said in general terms 'that both powers being sincerely desirous to terminate the differences which unhappily subsist between them, and equally so, that full time should be given for the adjustment thereof, agree, 1st, that an armistice shall take place for that purpose to commence on the day of.

'2. That they will forthwith appoint on each side commissioners with full power to form a treaty, which shall provide, by reciprocal arrangements, for the security of their seamen from being taken or employed in the service of the other power, for the regulation of their commerce, and all other interesting questions now depending between them.

'3. The armistice shall not cease without a previous notice by one to the other party of                      days, and shall not be understood as having other effect than merely to suspend military operations by land and sea.'

By this you will perceive that the President is desirous of removing every obstacle to an accommodation which consists merely of form, securing in a safe and satisfactory manner, the rights and interest of the U. States in these two great and essential circumstances, as it is presumed may be accomplished by the proposed understanding; he is willing that it should be done in a manner the most satisfactory and honorable to G. Britain, as well as to the U. States.

I have the honor to be, &c.

JAMES MONROE.

*Mr. Graham to Mr. Russell.*

DEPARTMENT OF STATE, Aug. 9, 1812.

SIR—The Secretary left this city about ten days ago, on a short visit to Virginia. Since that period Mr. Baker has, in consequence of some despatches from his government addressed to Mr. Foster, made to me a communication respecting the intentions of his government as regards the Orders in Council. It was of a character, however, so entirely informal and confidential that Mr. Baker did not feel himself at liberty to make it in the form of a note verbal or promemoria, or even to permit me to take a memorandum of it at the time he made it. As it authorises an expectation that something more precise and definite, in and official form, may soon be received by this government, it is the less necessary that I should go into an explanation of

the views of the President in relation to it, more particularly as the Secretary of State is daily expected, and will be able to do it in a manner more satisfactory.

I have the honor to be, &c.

JOHN GRAHAM.

*Mr. Graham to Mr. Russell.*

DEPARTMENT OF STATE, Aug. 10, 1812.

SIR—Thinking that it may possibly be useful to you, I do myself the honor to enclose you a memorandum of the conversation between Mr. Baker and myself, alluded to in my letter of yesterday's date. From a conversation with Mr. Baker since this memorandum was made, I find that I was correct in representing to the President that the intimation from Mr. Foster, and the British authorities at Halifax was to be understood as connected with a suspension of hostilities on the frontiers of Canada. Yours, &c.,

JOHN GRAHAM.

*Memorandum referred to in the above letter.*

Mr. Baker verbally communicated to me for the information of the President, that he had received despatches from his government addressed to Mr. Foster, (dated I believe about the 17th of June) from which he was authorised to say, that an official declaration would be sent to this country, that the Orders in Council, so far as they affected the U. States, would be repealed on the 1st of August, to be revived on the 1st of May, 1813, unless the conduct of the French government, and the result of the communications with the American government, should be such as, in the opinion of his majesty, to render their revival unnecessary. Mr. Baker moreover stated that the Orders would be revived, provided the American government did not, within fourteen days after they received the official declaration of their repeal, admit British armed vessels into their ports, and put an end to the restrictive measures which had grown out of the Orders in Council.

The despatches authorising this communication to the American government expressly directed that it should be made verbally, and Mr. Baker did not consider himself at liberty to reduce it to writing, even in the form of a note verbal, or promemoria, or to suffer me to take a memorandum of his communication at the time he made it. I under-

stood from him that the despatches had been opened by Mr. Foster at Halifax, who in consequence of a conversation he had had with Vice Admiral Sawyer, and Sir J. Sherbrooke, had authorised Mr. Baker to say, that these gentlemen would agree, as a measure leading to a suspension of hostilities, that all captures made after a day to be fixed, should not be proceeded against immediately, but be detained to await the future decision of the two governments. Mr. Foster had not seen Sir George Prevost, but had written to him by express, and did not doubt but that he would agree to an arrangement for the temporary suspension of hostilities. Mr. Baker also stated that he had received an authority from Mr. Foster to act as charge d'affairs, provided the American government would receive him in that character, for the purpose of enabling him officially to communicate the declaration which was to be expected from the British government; his functions to be understood, of course, as ceasing on the renewal of hostilities. I replied, that although, to so general and informal a communication, no answer might be necessary, and certainly no particular answer expected, yet, I was authorised to say, that the communication is received with sincere satisfaction, as it is hoped that the spirit in which it was authorised by his government, may lead to such further communications as will open the way not only to an early and satisfactory termination of existing hostilities, but to that entire adjustment of all the differences which produced them, and that permanent peace and solid friendship which ought to be mutually desired by both countries, and which is sincerely desired by this. With this desire, an authority was given to Mr. Russell on the subject of an armistice as introductory to a final pacification, as has been made known to Mr. Foster, and the same desire will be felt on the receipt of the further and more particular communications which are shortly to be expected with respect to the joint intimation from Mr. Foster and the authorities at Halifax, on the subject of suspending judicial proceedings in the case of maritime captures, to be accompanied by a suspension of military operations. The authority given to Mr. Russell just alluded to, and of which Mr. Foster was the bearer, is full proof of the solicitude of the government of the U. States to bring about a general suspension of hostilities on admis-

sible terms, with as little delay as possible. It was not to be doubted therefore, that any other practical expedient for attaining a similar result would be readily concurred in. Upon the most favorable consideration, however, which could be given to the expedient suggested through him, it did not appear to be reducible to any practicable shape to which the executive would be authorised to give it the necessary sanction, nor indeed is it probable that if it was less liable to insuperable difficulties, that it could have any material effect previous to the result of the pacific advance made by this government, and which must it favorably received, become operative as soon as any other arrangement that could now be made. It was stated to Mr. Baker, that the President did not, under existing circumstances, consider Mr. Foster as vested with the power of appointing a charge d'affairs : but that no difficulty in point of form, would be made, as any authentic communication through him, or any other channel, would be received with attention and respect.

*Mr. Monroe to Mr. Russell.*

DEPARTMENT OF STATE, Aug, 21, 1812.

[*Extract.*] SIR—My last letter to you was of the 27th of July, and was forwarded by the British packet *Althea*, under the special protection of Mr. Baker. The object of that letter, and of the next preceding one of the 26th of June, was to invest you with power to suspend by an armistice, on such fair conditions as it was presumed could not be rejected, the operation of the war, which had been brought on the U. States by the injustice and violence of the British government. At the moment of the declaration of war, the President, regretting the necessity which produced it, looked to its termination and provided for it, and happy will it be for both countries, if the disposition felt, and the advances made on his part, are entertained and met by the British government in a similar spirit.

You will have seen by the note forwarded to you by Mr. Graham, of Mr. Baker's communication to him, that Mr. Foster had authorised him to state that the commanders of the British forces at Halifax would agree to a suspension, after a day to be fixed, of the condemnation of prizes, to await the decision of both governments, without however

preventing captures on either side. It appears also, that Mr. Foster had promised to communicate with Sir George Prevost, and to advise him to propose to our government an armistice.

Sir George Prevost has since proposed to General Dearborn, at the suggestion of Mr. Foster, a suspension of offensive operations by land, in a letter which was transmitted by the General to the Secretary of War. A provisional agreement was entered into between General Dearborn and Colonel Baynes, the British adjutant-General, bearer of General Prevost's letter, that neither party should act offensively before the decision of our government should be taken on the subject.

Since my return to Washington, the document alluded to in Mr. Foster's despatch, as finally decided on by the British government, has been handed to me by Mr. Baker, with a remark, that its authenticity might be relied on. Mr. Baker added that it was not improbable, that the Admiral at Halifax might agree likewise to a suspension of captures, though he did not profess to appear to be acquainted with his sentiments on that point.

On full consideration of all the circumstances which merit attention, the President regrets that it is not in his power to accede to the proposed arrangement. The following are among the principal reasons which have produced this decision.

1st. The President has no power to suspend judicial proceedings on prizes. A capture, if lawful, vests a right over which he has no control. Nor could he prevent captures otherwise than by an indiscriminate recall of the commissions granted to our privateers, which he could not justify under existing circumstances.

2d. The proposition is not made by the British government nor is there any certainty that it would be approved by it. The proposed arrangement, if acceded to, might not be observed by the British officers themselves, if their government, in consequence of the war, should give them instructions of a different character, even if they were given without a knowledge of the arrangement.

3d. No security is given, or proposed, as to the Indians, nor could any be relied on. They have engaged in the war on the side of the British government, and are now pro-

representing it with vigor, in their usual savage mode. They can only be restrained by force, when once let loose, and that force has already been ordered out for that purpose.

4th. The proposition is not reciprocal, because it restrains the United States from acting where their power is greatest, and leaves Great-Britain at liberty, and gives her time to augment her forces in our neighborhood.

5th. That as a principal object of the war is to obtain redress against the British practice of impressment, an agreement to suspend hostilities even before the British government is heard from on that subject, might be considered a relinquishment of that claim.

6th. It is the more objectionable, and of the less importance, in consideration of the instructions heretofore given you, which, if met by the British government, may have already produced the same result in a greater extent and more satisfactory form.

I might add, that the declaration itself is objectionable in many respects, particularly the following—

1st. Because it asserts a right in the British government to restore the Orders in Council, or any part thereof, to their full effect on a principle of retaliation on France, under circumstances of which she alone is to judge; a right which this government cannot admit, especially in the extent heretofore claimed, and acted on by the British government.

2d. That the repeal is founded exclusively on the French Decree of the 28th of April, 1811, by which the repeal of the Decrees of Berlin and Milan, announced on the 5th of August, 1810, to take effect on the 1st of November, of that year, at which time their operation actually ceased, is disregarded, as are the claims of the U. States arising from the repeal on that day, even according to the British pledge,

3d. That even if the U. States had no right to claim the repeal of the British Orders in Council prior to the French Decree of the 28th of April, 1811, nor before the notification of that Decree to the British government, on the 20th of May, of the present year, the British repeal ought to have borne date, from that day, and been subject to none of the limitations attached to it.

These remarks on the declaration of the prince regent, which are not pursued with rigor, nor in the full extent which they might be, are applicable to it, in relation to the state of things which existed before the determination of the U. States to resist the aggressions of the British government by war. By that determination, the relations between the two countries have been altogether changed, and it is only by a termination of the war, or by measures leading to it, by consent of both governments, that its calamities can be closed or mitigated. It is not now a question whether the declaration of the prince regent is such as ought to have produced a repeal of the non-importation act, had war not been declared, because, by the declaration of war, that question is superceded, and the non-importation act having been continued in force by Congress, and become a measure of war, and among the most efficient, it is no longer subject to the control of the Executive in the sense, and for the purpose for which it was adopted. The declaration, however, of the prince regent, will not be without effect. By repealing the Orders in Council without reviving the blockade of May, 1806, or any other illegal blockade, as is understood to be the case, it removes a great obstacle to an accommodation. The President considers it an indication of a disposition in the British government to accommodate the differences which subsist between the two countries, and I am instructed to assure you, that, if such a disposition really exists, and is persevered in, and is extended to other objects, especially the important one of impressment, a durable and happy peace and reconciliation cannot fail to result from it.

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*Mr. Russell to Mr. Monroe.*

LONDON, Sept, 1, 1812.

SIR—You will perceive by the enclosed copies of notes which have passed between lord Castlereagh and me, that the moderate and equitable terms proposed for a suspension of hostilities, have been rejected, and that it is my intention to return immediately to the United States.

My continuance here, after it has been so broadly intimated to me by his lordship, that I am no longer acknowledged in my diplomatic capacity, and after a knowledge that instructions are given to the British Admiral to nego-

ciate an arrangement on the other side of the Atlantic, would, in my view of the subject, not only be useless but improper.

It is probable, however, that the vessel in which I propose to embark will not take her departure before the 15th or 20th of this month.

I have the honor to be, &c.

JONATHAN RUSSELL.

*Mr. Russell to lord Castlereagh.*

LONDON, Aug. 24, 1812.

My lord—It is only necessary, I trust, to call the attention of your lordship to a review of the conduct of the government of the U. States, to prove incontrovertibly its unceasing anxiety to maintain the relations of peace and friendship with U. Britain. Its patience in suffering the many wrongs which it has received, and its perseverance in endeavoring by amicable means to obtain redress, are known to the world. Despairing at length of receiving this redress from the justice of the British government, to which it had so often applied in vain, and feeling that a further forbearance would be a virtual surrender of rights and interests essential to the prosperity and independence of the nation confided to its protection, it has been compelled to discharge its high duty by an appeal to arms. While, however, it regards this course as the only one which remained for it to pursue with a hope of preserving any portion of that kind of character which constitutes the vital strength of every nation, yet it is still willing to give another proof of the spirit which has uniformly distinguished its proceedings, by seeking to arrest, on terms consistent with justice and honor, the calamities of war. It has, therefore, authorised me to stipulate with his Britannic majesty's government an armistice to commence at or before the expiration of sixty days after the signature of the instrument providing for it, on condition that the Orders in Council be repealed, and no illegal blockades to be substituted to them, and that orders be immediately given to discontinue the impressment of persons from American vessels, and to restore the citizens of the United States already impressed; it being moreover well understood that the British government will assent to enter into definite arrangements, as soon as may



be; on these and every other difference, by a treaty to be concluded either at London or Washington, as on an impartial consideration of existing circumstances shall be deemed most expedient.

As an inducement to G. Britain to discontinue the practice of impressment from American vessels, I am authorised to give assurance that a law shall be passed (to be reciprocal) to prohibit the employment of British seamen in the public or commercial service of the U. States.

It is sincerely believed that such an arrangement would prove more efficacious in securing to G. Britain her seamen, than the practice of impressment, so derogatory to the sovereign attributes of the U. States, and so incompatible with the personal rights of their citizens.

Your lordship will not be surprised that I have presented the revocation of the Orders in Council as a preliminary to the suspension of hostilities, when it is considered that the act of the British government of the 23d of June last, ordaining that revocation, is predicated on conditions, the performance of which is rendered impracticable by the change which is since known to have occurred in the relations between the two countries. It cannot now be expected that the government of the U. States will immediately on due notice of that act, revoke or cause to be revoked its acts, excluding from the waters and harbors of the U. States all British armed vessels, and interdicting commercial intercourse with G. Britain. Such a procedure would necessarily involve consequences too unreasonable and extravagant to be for a moment presumed.—The Order in Council of the 23d of June last will, therefore according to its own terms be null and of no effect, and a new act of the British government, adapted to existing circumstances, is obviously required for the effectual repeal of the Orders in Council of which the United States complain.

The government of the U. States considers indemnity for the injuries received under the Orders in Council and other Edicts, violating the rights of the American nation, to be incident to their repeal, and it believes that satisfactory provision will be made in the definite treaty, to be hereafter negotiated, for this purpose.

The conditions now offered to the British government for the termination of the war by an armistice as above

stated, are so moderate and just in themselves, and so entirely consistent with its interest and honor, that a confident hope is indulged that it will not hesitate to accept them. In so doing it will abandon no right; it will sacrifice no interests; it will abstain only from violating the rights of the U. States, and in return it will restore peace with the power from whom in a friendly commercial intercourse so many advantages are to be derived.

Your lordship is undoubtedly aware of the serious difficulties with which the prosecution of the war, even for a short period, must necessarily embarrass all future attempts at accommodation.—Passions exasperated by injuries—alliances or conquests on terms which forbid their abandonment—will inevitably hereafter embitter and protract a contest which might now be so easily and happily terminated.

Deeply impressed with these truths, I cannot but persuade myself that his royal highness, the prince regent will take into his early consideration, the propositions herein made on behalf of the U. States, and decide on them in a spirit of conciliation and justice.

I have the honor to be, &c.

JONATHAN RUSSELL.

*Lord Castlereagh to Mr. Russell.*

FOREIGN OFFICE, Aug. 29, 1812.

SIR—Although the diplomatic relations between the two governments have been terminated, by a declaration of war on the part of the U. States, I have not hesitated, under the peculiar circumstances of the case, and the authority under which you act, to submit to the prince regent the proposition contained in your letter of the 24th inst. for a suspension of hostilities.

From the period at which your instructions must have been issued, it is obvious, that this overture was determined upon by the government of the U. States, in ignorance of the Order in Council of the 23d of June last, and as you inform me that you are not at liberty to depart from the conditions set forth in your letter, it only remains for me to acquaint you that the prince regent feels himself under the necessity of declining to accede to the proposition therein contained, as being on various grounds absolutely inadmissible.

As soon as there was reason to apprehend, that Mr. Foster's functions might have ceased in America, and that he might have been obliged to withdraw himself, in consequence of war having been declared, from the U. States, before the above mentioned Order of the 23d of June, and the instructions consequent thereupon, could have reached him, measures were taken for authorising the British Admiral on the American station, to propose to the government of the U. States, an immediate and reciprocal revocation of all hostile Orders, with the tender of giving full effect, in the event of hostilities being discontinued, to the provisions of the said Order, upon the conditions therein specified.

From this statement you will perceive that the view you have taken of this part of the subject is incorrect; and that in the present state of the relations between the two countries, the operation of the Order of the 23d June, can only be defeated by a refusal on the part of your government to desist from hostilities, or to comply with the conditions expressed in the said Order.

Under the circumstances of your having no powers to negotiate, I must decline entering into a detailed discussion of the propositions which you have been directed to bring forward.

I cannot, however, refrain on one single point, from expressing my surprise; namely, that, as a condition preliminary even to a suspension of hostilities, the government of the U. States, should have thought fit to demand, that the British government should desist from its ancient and accustomed practice of impressing British seamen from the merchant ships of a foreign state, simply on the assurance that a law shall hereafter be passed to prohibit the employment of British seamen in the public or commercial service of that state.

The British government now, as heretofore, is ready to receive from the government of the U. States, and amicably to discuss, any proposition which professes to have in view either to check abuse in the exercise of the practice of impressment, or to accomplish by means less liable to vexation, the object for which impressment has hitherto been found necessary, but they cannot consent to suspend the exercise of a right upon which the naval strength of the

empire mainly depends, until they are fully convinced that means can be devised, and will be adopted, by which the object to be obtained by the exercise of that right, can be effectually secured.

I have the honor to be, &c.

CASTLEREAGH.

*Mr. Russell to lord Castlereagh.*

LONDON, September 1, 1812.

My lord—I have heard with much regret, by your lordship's note, dated the the 29th ult. which I did not receive until this morning, that the prince regent has thought proper to decline to accede to the proposition for a suspension of hostilities, contained in my note of the 24th of Aug.

It has been matter of surprise to me that my view with regard to the revocation of the Order in Council of the 23d of June last, should have been considered to have been incorrect, when it appears by your lordship's note that the British government itself had deemed it necessary to give powers to the British Admiral to stipulate for its full effect, and thereby admitted that a new act was required for that purpose.

It now only remains for me to announce to you lordship that it is my intention to embark immediately at Plymouth, on board the ship Lark, for the U. States, and to request that permission may be granted, as soon as may be, for the embarkation of my servants, baggage, and the effects of this legation, and that the necessary passports may be furnished for my own, and their safe conduct to that destination.

I avail myself of this occasion to apprise your lordship that I am authorised by the government of the U. States, to leave Reuben Gaunt Beasley, Esq. as its agent for prisoners of war in this country, and to desire that every necessary facility may be afforded him in the exercise of that trust, by the British government.

I have the honor to be, &c.

JONATHAN RUSSELL.

*Mr. Russell to Mr. Monroe.*

LONDON, Sept. 3, 1812.

SIR—I enclose herein a copy of a note, received yesterday from lord Castlereagh, which will acquaint you that I

have obtained my passports to return to the U. States, and that Mr. Beasely is permitted to remain here as agent for prisoners of war.

Immediately on demanding my passport I addressed to the consuls a circular of which you will also find a copy enclosed.

I have the honor to be, &c.

JONATHAN RUSSELL.

*Lord Castlereagh to Mr. Russell.*

FOREIGN OFFICE, Sept. 2, 1812.

SIR—I have laid before his royal highness, the prince regent, your letter of the 1st inst. in which you announce your intention to embark immediately at Plymouth on board the ship Lark, for the U. States.

I have already had the honor of forwarding to you an Admiralty order for the protection of that ship as a cartel, on her voyage to America, and I herewith enclose to you a passport for the free embarkation of yourself and family, in conformity to your request. The lords commissisners of his majesty's treasury will issue directions to the commissioners of the customs to give every facility to the embarkation of your effects.

If previous to your departure from England, you can point out to me any particular manner in which I can facilitate your arrangements, I beg that you will command my services.

His royal highness has commanded me to signify to you, for the information of your government, that there will be no difficulty in allowing Mr. R. G. Beasely, as stated in your letter, to reside in this country, as the U. State's agent for prisoners of war.

I have the honor to be, &c.

CASTLEREAGH.

*Sir J. B. Warren to Mr. Monroe.*

HALIFAX, Nova Scotia, Sept. 30, 1812.

SIR—The departure of Mr. Foster from America, has devolved upon me the charge of making known to you, for the information of the government of the U. States, the sentiments entertained by his royal highness, the prince regent, upon the existing relations of the two countries.

You will observe, from the enclosed copy of an Order in Council bearing date the 23d of June, 1812, that the Orders in Council of the 7th of January, 1807, and the 26th of April, 1809, ceased to exist nearly at the same time that the government of the U. States declared war against his majesty.

Immediately on the receipt of this declaration in London, the Order in Council, of which a copy is herewith enclosed to you, was issued on the 31st day of July, for the embargo and detention of all American ships.

Under these circumstances, I am commanded to propose to your government the immediate cessation of hostilities between the two countries and I shall be most happy to be the instrument of bringing about a reconciliation, so interesting and beneficial to America, and G. Britain.

I therefore propose to you, that the government of the U. States of America shall instantly recall their letters of marque and reprisal against British ships, together with all orders and instructions for any acts of hostility whatever against the territories of his majesty, or the persons or property of his subjects; with the understanding, that, immediately on my receiving from you an official assurance to that effect, I shall instruct all the officers under my command to desist from corresponding measures of war, against the ships and property of the U. States, and that I shall transmit without delay, corresponding intelligence to the several parts of the world where hostilities may have commenced. The British commanders in which, will be required to discontinue hostilities from the receipt of such notice.

Should the American government accede to the above proposal for terminating hostilities, I am authorised to arrange with you as to the revocation of the laws which interdict the commerce and ships of war of G. Britain from the harbors and waters of the U. States; in the default of which revocation within such reasonable period as may be agreed upon, you will observe by the order of the 23d June, the Orders in Council of January, 1807, and April, 1809, are to be revived.

The officer who conveys this letter to the American coast has received my orders to put to sea immediately upon the delivering of this dispatch to the competent authority; and

I earnestly recommend that no time may be lost in communicating to me the decision of your government, persuaded as I feel that it cannot but be of a nature to lead to a speedy termination of the present differences.

The flag of truce which you may charge with your reply will find one of my cruisers at Sandy Hook, ten days after the landing of this despatch, which I have directed to call there with a flag of truce for that purpose.

I have honor to be, &c.

JOHN BORLASE WARREN.

*Mr. Monroe to sir J. B. Warren.*

DEPARTMENT OF STATE, Oct. 27, 1812.

SIR—I have had the honor to receive your letter of the 30th ult. and to submit it to the consideration of the President.

It appears that you are authorised to propose a cessation of hostilities between the U. States and G. Britain, on the ground of the repeal of the Orders in Council, and in case the proposition is acceded to, to take measures in concert with this government, to carry it into complete effect on both sides.

You state, also that you have it in charge, in that event, to enter into an arrangement with the government of the U. States for the repeal of the laws which interdict the ships of war and the commerce of G. Britain from the harbors and waters of the U. States. And you intimate, that if the proposition is not acceded to, the Orders in Council (repealed conditionally by that of the 23d of June last) will be revived against the commerce of the U. States.

I am instructed to inform you, that it will be very satisfactory to the President to meet the British government in such arrangements as may terminate without delay the hostilities which now exist between the U. States and G. Britain, on conditions honorable to both nations.

At the moment of the declaration of war, the President gave a signal proof of the attachment of the U. States to peace. Instructions were given at that early period to the late charge d'affairs of the U. States at London, to propose to the British government an armistice on conditions which it was presumed would have been satisfactory. It has been seen with regret that the propositions made by Mr. Monroe, particularly in regard to the important inter-

out of impressment, was rejected, and that none was offered through that channel, as a basis on which hostilities might cease.

As your government has authorised you to propose a cessation of hostilities, and is doubtless aware of the important and salutary effect which a satisfactory adjustment of this difference cannot fail to have on the future relations between the two countries, I indulge the hope that it has, ere this, given you full power for the purpose. Experience has sufficiently evinced that no peace can be durable unless this object is provided for. It is presumed, therefore, that it is equally the interest of both countries to adjust it at this time.

Without further discussing questions of right, the President is desirous to provide a remedy for the evils complained of on both sides. The claim of the British government is to take from the merchant vessels of other countries British subjects. In the practice, the commanders of the British ships of war often take from the merchant vessels of the U. States, American citizens. If the U. States prohibit the employment of British subjects in their service, and enforce the prohibition of suitable regulations and penalties, the motives for the practice is taken away. It is in this mode that the President is willing to accommodate this important controversy with the British government, and it cannot be conceived on what ground the arrangement can be refused.

A suspension of the practice of impressment, pending the armistice, seems to be a necessary consequence. It cannot be presumed, while the parties are engaged in a negotiation to adjust amicably this important difference, that the U. States would admit the right or acquiesce in the practice of the opposite party; or that G. Britain would be unwilling to restrain her cruizers from a practice which would have the strongest tendency to defeat the negotiation. It is presumable that both parties would enter into the negotiation with a sincere desire to give it effect. For this purpose it is necessary that a clear and distinct understanding be first obtained between them, of the accommodation which each is prepared to make. If the British government is willing to suspend the practice of impressment from American vessels, on consideration that



the U. States will exclude British seamen from their service, the regulations by which this compromise should be carried into effect would be solely the object of negotiation. The armistice would be of short duration. If the parties agreed, peace would be the result. If the negotiation failed, each would be restored to its former state, and to all its pretensions, by recurring to war.

Lord Castlereagh, in his note to Mr. Russell, seems to have supposed, that had the British government accepted the propositions made to it, G. Britain would have suspended immediately the exercise of a right, on the mere assurance of this government that a law would be afterwards passed to prohibit the employment of British seamen in the service of the U. States, and that G. Britain would have no agency in the regulation to give effect to that proposition. Such an idea was not in the contemplation of this government, nor is to be reasonably inferred from Mr. Russell's note; lest, however, by possibility such an inference might be drawn from instructions to Mr. Russell, and anxious that there should be no misunderstanding in the case, subsequent instructions were given to Mr. Russell with a view to obviate every objection of the kind alluded to. As they bear date on 27th July, and were forwarded by the British packet *Althea*, it is more than probable that they may have been received and acted on.

I am happy to explain to you thus fully the views of my government on this important subject. The President desires that the war which exists between our countries should be terminated on such conditions as may secure a solid and durable peace. To accomplish this great object it is necessary that the interest of impressment be satisfactorily arranged. He is willing that G. Britain should be secured against the evils of which she complains. He seeks on the other hand that the citizens of the U. States should be protected against a practice, which, while it degrades the nation, deprives them of their rights as freemen, takes them by force from their families and their country into a foreign service, to fight the battles of a foreign power, perhaps against their own kindred and country.

I abstain from entering, in this communication, into other grounds of difference. The Orders in Council having been repealed, (with a reservation not impairing a corresponding

right on the part of the U. States) and no illegal blockades revived or instituted in their stead, and an understanding being obtained on the subject of impressment, in the mode herein proposed, the President is willing to agree to a cessation of hostilities, with a view to arrange by treaty, in a more distinct and ample manner, and to the satisfaction of both parties, every other subject of controversy.

I will only add that if there be no objection to an accommodation of the difference relating to impressment, in the mode proposed, other than the suspension of the British claim to impressment during the armistice, there can be none to proceeding, without the armistice, to an immediate discussion and arrangement of an article on that subject. This great question being satisfactorily adjusted, the way will be open either for an armistice or any other course leading most conveniently and expeditiously to a general pacification. I have the honor to be, &c.

JAMES MONROE.

### BRITISH CHALLENGE.

Ignorant of the fate of the blustering *Dacres*, sir James Yeo, of the Southampton frigate, sent the following *polite* challenge to Capt. D. Porter, commander of the frigate *Essex*. The *king*, 'the fountain of honor,' *dubbed* sir James, a *knight*; we wished Capt. Porter the pleasure of *dubbing* him into a gentleman.

'A passenger of the brig *Lyon* from Havanna to New-York, captured by the frigate Southampton, sir James Yeo, commander, is requested by sir James Yeo, to present his compliments to Capt. Porter, commander of the American frigate *Essex*, would be glad to have a *tete-a-tete* any where between the capes of Delaware and the Havanna, when he would have the pleasure to break his own sword over his damned head and put him down forward in irons.'

### AMERICAN ACCEPTANCE.

Capt. Porter, of the U. States frigate *Essex*, presents his compliments to sir James Yeo, commanding his Britannic majesty's frigate Southampton, and accepts with pleasure his *polite* invitation. If agreeable to sir James, Capt. Porter would prefer meeting near the Delaware, where, Capt. P. pledges his honor to sir James, that no other American vessel shall interrupt their *tete-a-tete*.

The *Essex* may be known by a flag bearing the motto—  
**FREE TRADE AND SAILORS' RIGHTS ;**

And when that is struck to the Southampton Capt. Porter  
 will deserve the treatment promised by sir James.

*Philadelphia, Sept. 18, 1812.*

## CHAPTER VI.

### JONES' VICTORY—AND CAPTURE.

*Capt. Jones to the Secretary of the Navy.*

NEW-YORK, Nov. 24, 1812.

SIR—I here avail myself of the first opportunity of informing you of the occurrences of our cruise, which terminated in the capture of the *Wasp* on the 18th of Oct. by the *Poictiers* of 74 guns, while a wreck from damages received in an engagement with the British sloop of war *Frolic*, of 22 guns; sixteen of them thirty-two pound carronades, and four twelve pounders on the main deck and two twelve pounders, carronades, on the top-gallant-forecastle, making her superior in force to us by 4 twelve pounders. The *Frolic* had struck to us, and was taken possession of about two hours before our surrendering to the *Poictiers*.

We had left the *Delaware* on the 13th. The 16th had a heavy gale, in which we lost our jib-boom and two men. Half past eleven, on the night of the 17th, in the latitude of 37 deg. N. and lon. 65 deg. W. we saw several sail, two of them appearing very large; we stood from them for some time, then shortened sail and steered the remainder of the night the course we had perceived them on. At day-light on Sunday the 18th we saw them ahead—gave chase and soon discovered them to be a convoy of six sail, under the protection of a sloop of war; four of them large ships, mounting from 16 to 18 guns. At thirty two minutes past 11, A. M. we engaged the sloop of war, having first received her fire at the distance of fifty or sixty yards, which space we gradually lessened until we laid her on board, after a well supported fire of 43 minutes; and although so near while loading the last broadside that our rammers were shoved against the side of the enemy, our men exhibited the same alacrity which they had done dur-

ing the whole of the action. They immediately surrendered upon our gaining their fore-castle, so that no loss was sustained on either side after boarding.

Our main-top-mast was shot away between 4 and 5 minutes from the commencement of the firing, and falling together with the main-top-sail yard across the larboard-fore and fore-top-sail braces, rendered our head-yards unmanageable the remainder of the action. At eight minutes the gaff and main-top-gallant mast came down, and at 20 minutes from the beginning of the action every brace and most of the rigging was shot away. A few minutes after separating from the *Frolic* both her mast fell upon deck, the mainmast going close by the deck, and the foremast twelve or fifteen feet above it.

The courage and exertions of the officers and crew fully answered my expectations and wishes.

I have the honor to be, &c. JACOB JONES.

#### AMERICAN LOSS.

Killed 5—wounded 5.

#### BRITISH LOSS.

Killed 27—wounded 46.

### DECATUR'S VICTORY.

*Com. Decatur to the Secretary of the Navy.*

*U. S. S. United States, at sea, Oct. 30, 1812.*

SIR—I have the honor to inform you, that on the 25th inst. being in lat. 29 deg. N. long. 29, 30 W. we fell in with, and, after an action of one hour and a half, captured his Britannic majesty's frigate *Macedonian*, commanded by Capt. John Carden, and mounting 49 carriage guns (the odd gun shifting.) She is a frigate of the largest class, two years old, four months out of dock, and reputed one of the best sailers in the British service. The enemy being to windward, had the advantage of engaging us at his own distance, which was so great, that for the first half hour we did not use our carronades, and at no moment was he within the complete effect of our musketry or grape; to this circumstance and a heavy swell, which was on at the time, I ascribe the unusual length of the action.

The enthusiasm of every officer, seamen, and marine on board this ship, on discovering the enemy—their steady

conduct in battle, and precision of their fire, could not be surpassed. Where all met my fullest expectations, it would be unjust in me to discriminate. Permit me, however, to recommend to your particular notice, my first Lieut. William H. Allen. He has served with me upwards of five years, and to his unremitting exertions in disciplining the crew, is to be imputed the obvious superiority of our gunnery exhibited in the result of the contest.

The Macedonian lost her mizen-mast, fore and main-top-masts and main yard, and was much cut up in her hull. The damage sustained by this ship was not such as to render her return into port necessary, and had I not deemed it important that we should see our prize in, should have continued our cruise.

With the highest consideration, &c.

STEPHEN DECATUR.

#### AMERICAN LOSS.

Killed 7—wounded 5.

#### BRITISH LOSS.

Killed 36—wounded 68—prisoners 270.

### BAINBRIDGE'S VICTORY.

*Com. Bainbridge to the Secretary of the Navy.*

*U. S. F. Constitution, St Salvador, Jan. 3, 1813.*

SIR—I have the honor to inform you, that on the 29th ultimo, at 2 P. M. in south latitude 13, 06, and west long. 38, 10 leagues distance from the coast of Brazil, I fell in with and captured his Britannic majesty's frigate Java, of 49 guns and upwards of 400 men, commanded by Capt. Lambert, a very distinguished officer. The action lasted one hour and 55 minutes, in which time the enemy was completely dismantled, not having a spar of any kind standing. The loss on board the Constitution was 9 killed and 25 wounded, as per enclosed list. The enemy had 60 killed and 101 wounded, certainly, (among the latter Capt. Lambert, mortally) but by the enclosed letter, written on board the ship, (by one of the officers of the Java) and accidentally found, it is evident that the enemy's wounded must have been much greater than above stated, and who must have died of their wounds previously to their being removed. The letter states sixty killed and 170 wounded.

For further details of the action, I beg leave to refer you to the enclosed extracts from my journal. The Java had in addition to her own crew upwards of one hundred supernumerary officers and seamen, to join the British ships of war in the East Indies; also, Lieutenant-General Hislop, appointed to the command of Bombay, Major Walker, and Capt. Wood, of his staff, and Capt. Marshall, master and commander in the British navy, going to the East Indies to take command of a sloop of war there.

Should I attempt to do justice, by representation, to the brave and good conduct of all my officers and crew, during the action, I should fail in the attempt; therefore, suffice it to say, that the whole of their conduct was such as to merit my highest encomiums. On blowing up of the frigate Java, I proceeded to this place, where I have landed all the prisoners on their parole, to return to England, and there remain until regularly exchanged, and not serve in their professional capacities in any place or in any manner whatever against the U. States of America, until the exchange shall be effected.

I have the honor to be, &c.

W. BAINBRIDGE.

AMERICAN LOSS.

Killed 9—wounded 25.

BRITISH LOSS.

Killed 60—wounded 101—prisoners 376.

Extract from Commodore Wm. Bainbridge's Journal, kept on board the U. S. F. Constitution.

*Tuesday, Dec. 29, 1812.*

At 9 A. M. discovered two strange sails on the weather bow. At 10 discovered the strange sails to be ships; one of them stood in for the land and the other stood off shore, in a direction towards us. At 10, 45 A. M. we tacked ship to the northward and westward and stood for the sail standing towards us, and at 11 A. M. tacked to the southward and eastward, hauled up the mainsail and took in the royals. At 11, 30, made the private signal for the day, which was not answered, and then set the mainsail and royals to draw the strange sail off from the neutral coast, and separate her from the sail in company.

*' Wednesday, Dec. 30.*

' In lat. 18, 9, S. long. 38 W. ten leagues from the coast of Brazil, commences with clear weather and moderate breezes from E. N. E. hoisted our ensign and pendant. At 15 minutes past meridian, the ship hoisted her colors—an English ensign, having a signal flying at her main.

' At 1, 26, P. M. being sufficiently from the land, and finding the ship to be an English frigate, took in the mainsail and royals, tacked ship and stood for the enemy. At 1, 30, P. M. the enemy bore down with an intention of raking us, which we avoided by wearing. At 2 P. M. the enemy being within half a mile of us, and to windward, and having hauled down his colors except the union jack at the mizenmast head, induced me to give orders to the officers of the 3d division to fire a gun ahead of the enemy, to make him show his colors, which being done, brought on a fire from us of the whole broadside, on which the enemy hoisted his colors, and immediately returned our fire. A general action with round and grape then commenced; the enemy keeping at a much greater distance than I wished; but could not bring him to a closer action, without exposing ourselves to several rakes. Considerable manœuvres were made by both vessels to rake and avoid being raked. The following minutes were taken during the action:

' At 2, 10, P. M. commenced the action within good grape and cannister distance, the enemy to windward, but much farther than I wished.

' At 2, 30, our wheel was shot entirely away.

' At 2, 40, determined to close with the enemy notwithstanding his raking. Set the fore and mainsail, and luffed up close to him.

' At 2, 50, the enemy's jib-boom got foul of our mizen rigging.

' At 3, the head of the enemy's bowsprit and jib-boom shot away by us.

' At 3, 5, shot away his fore-mast by the board.

' At 3, 15, shot away his main-top-mast just above the cap.

' At 3, 40, shot away the gaff and spanker boom.

' At 3, 55, shot away his mizen-mast nearly by the board.

' At 4, 5, having silenced the fire of the enemy completely, and his colors in the main rigging being down, supposed

he had struck ; then hauled down the courses to shoot ahead to repair our rigging, which was extremely cut ; leaving the enemy a complete wreck ; soon after discovered that the enemy's flag was still flying. Hove too to repair some of our damage.

' At 20 minutes past 4, the enemy's mainmast went nearly by the board.

' At 50 minutes past 4, wore ship and stood for the enemy.

' At 25 minutes past 5, got close to the enemy, in a very effectual raking position, thwart his bows, and was at the instance of raking him, when he most prudently struck his flag : for had he suffered the broadside to have raked him, his additional loss must have been extremely great—as he laid an unmanageable wreck upon the water. After the enemy had struck, wore ship and reefed the topsails—then hoisted out one of the only two remaining boats we had left out of eight, and sent Lieut. Parker, 1st of the Constitution, to take possession of the enemy, which proved to be his Britannic majesty's frigate Java, rated 38, but carried 49 guns, and manned with upwards of 400 men, commanded by Capt. Lambert, a very distinguished officer, who was mortally wounded. The action continued from commencement to the end of the fire, one hour and 55 minutes. The Java had her own complement of men complete, and upwards of one hundred supernumeraries, going to British ships of war to the East Indies—also several officers, passengers, going out on promotion. The force of the enemy in number of men at the commencement of the action was no doubt considerably greater than we have been able to ascertain, which is upwards of 400 men. The officers were extremely cautious in discovering the number. By her quarter bill ; she had one more man stationed to each gun than we had.

' The Constitution was very much cut in her sails, and rigging, and many of her spars injured.

' At 7, P. M. the boat returned with Lieut. Chads the first Lieut. of the enemy's frigate, and Lieut. Gen. Hislop, (appointed Governor of Bombay) Maj. Walker, and Capt. Wood.

' Capt. Lambert was too dangerously wounded to be removed immediately. The cutter returned on board the



prize for the prisoners, and brought Capt. Marshall, master and commandant in the British navy, who was a passenger on board; also, several other naval officers.

‘The Java was an important ship, fitted out in the completest manner, to carry Lieut. Gen. Hislop and staff to Bombay.

*Letter above alluded to, from an officer of the Java.*

*Constitution, St. Salvador, Brazils, Jan. 1, 1813.*

My dear sir—I am sorry to inform you of the unpleasant news of Mr. Gascoine’s death. Mr. Gascoine and myself were shipmates in the Marlborough, and first came to sea together. He was shot early in the action by a round shot in his right thigh, and died in a few minutes afterwards. Four others of his messmates shared the same fate, together with 60 men killed and 170 wounded. The official account you will no doubt have read before this reaches you. I beg you will let all his friends and relations know of his untimely fate.

We were on board the Java for a passage to India when we fell in with this frigate.—Two parcels I have sent you under good care, and I hope this will reach you safely.

Yours truly,

H. D. CORNECK.

Lieut. P. V. Wood, 22d reg. Isle of France.

### LAWRENCE’S VICTORY.

*Capt. Lawrence to the Secretary of the Navy.*

U. S. S. Hornet, Holmes’ Hole, March 19, 1813.

SIR—I have the honor to inform you of the arrival at this port, of the U. S. ship Hornet, under my command, from a cruise of 145 days, and to state to you, that after Com. Bainbridge left the coast of Brazils, (on the 6th of January last) the Hornet continued off the harbor of St. Salvador, blockading the Bonne Citoyenne, of 21 guns, until the 24th, when the Montagu, 74, hove in sight and chased me into the harbor; but night coming on I wore and stood to the southward. Knowing that she had left Rio Janeiro for the express purpose of relieving the Bonne Citoyenne, and the Packet, of 14 guns (which I had also blockaded for fourteen days, and obliged her to send her mail to Rio, in a Portuguese smack) I judged it most pru-

dent to change our cruising ground, and stood to the eastward, with the view of cruising off Pernambuco—and on the 4th day of February, captured the English brig *Resolution*, from Rio Janeiro, bound to Morahan, with coffee, jerked beef, flour, fustic, and butter, and about 25,000 dollars in specie. As the brig sailed dull, and could ill spare hands to man her, I took out the money and set her on fire. I then run down the coast for Morahan, and cruised there a short time; from thence ran off Surinam. After cruising off that coast from the 5th to the 22d of February, without meeting a vessel, I stood for Demarara, with an intention should I not be fortunate on that station, to run through the West Indies, on my way to the U. States. But on the morning of the 24th, I discovered a brig to leeward, to which I gave chase; ran into quarter less four, and not having a pilot, was obliged to haul off—the fort at the entrance of Demarara river at this time bearing S. W. distance about 2 1-2 leagues. Previously to giving up the chase, I discovered a vessel at anchor without the bar with English colors flying, apparently a brig of war. In beating round Corrobano bank, in order to get at her, at half past 3, P. M. I discovered another sail on my weather quarter, edging down for us. At 4, 20, she hoisted English colors, at which time we discovered her to be a large man of war brig—beat to quarters, and cleared ship for action—kept close by the wind, in order if possible to get the weather gauge. At 5, 10, finding I could weather the enemy, I hoisted American colors, and tacked. At 5, 20, in passing each other, exchanged broadsides within half pistol shot. Observing the enemy in the act of wearing, I bore up, received his starboard broadside, ran him close on board on the starboard quarter, and kept up such a heavy and well directed fire, that in less than 15 minutes he surrendered, being literally cut to pieces, and hoisted an ensign, union down, from his fore rigging, as a signal of distress. Shortly after his mainmast went by the board. Despatched Lieut. Shubrick on board, who soon returned with her first Lieut. who reported her to be his Britannic majesty's late brig *Peacock*, commanded by Capt. William Peake, who fell in the latter part of the action—that a number of her crew were killed and wounded, and that she was sinking fast, having then six feet of water in her

hold. Despatched the boats immediately for the wounded, and brought both vessels to anchor. Such shot holes as could be got at, were then plugged; her guns thrown overboard, and every possible exertion used to keep her afloat, until the prisoners could be removed, by pumping and bailing; but without effect; and she unfortunately sunk in five and a half fathoms water, carrying down 13 of her crew, and three of my brave fellows. Lieut. Conner, midshipman Cooper, and the remainder of the *Hornet's* crew, employed in removing the prisoners, with difficulty saved themselves by jumping in a boat that was lying on her bows as she went down. Four men, of the 13 mentioned, were so fortunate as to gain the fore-top, and were afterwards taken off by the boats. Previous to her going down, four of her men took to her stern boat, which had been much damaged during the action, who, I hope, reached the shore in safety; but from the heavy sea running at the time, the shattered state of the boat, and the difficulty of landing on the coast, I much fear they were lost. I have not been able to ascertain from her officers the exact number killed. Capt. Peake and four men were found dead on board. The master, one midshipman, carpenter, and Captain's clerk, and 29 seamen were wounded, most of them very severely, three of whom died of their wounds after being removed, and 9 drowned. Our loss was trifling in comparison, being only 2 killed and 3 wounded. Our rigging and sails were very much cut; one shot through the foremast, and the bowsprit slightly injured. Our hull received little or no damage. At the time the *Peacock* was brought to action, the *L'Espeigle*, (the brig mentioned above as being at anchor) mounting 16 two and thirty pound carronades and two long nines, lay about six miles in shore, and could plainly see the whole of the action. Apprehensive that she would beat out to the assistance of her consort, such exertions were made by my officers and crew in repairing damages, &c. that by 9 o'clock the boats were stowed, a new set of sails bent, and the ship completely ready for action. At 2, A. M. got under way, and stood by the wind to the northward and westward, under easy sail.

On mustering next morning, found we had 277 souls on board, including the crew of the *American* brig *Hunter*,

of Portland, taken a few days before by the Peacock. And, as we had been on two thirds allowance of provisions for some time, and had but 3,400 gallons of water on board, I reduced the allowance to three pints a man, and determined to make the best of my way to the U. States.

The Peacock was deservedly styled one of the finest vessels of her class in the British navy, probably about the tonnage of the Hornet. Her beam was greater by five inches; but her extreme length not so great by four feet. She mounted 16 twenty four pound carronades, two long nines, one twelve pound carronade on her top-gallant fore-castle, as a shifting gun, and one 4 or 6 pounder, and 2 swivels mounted aft. I find by her quarter bill that her crew consisted of 184 men, four of whom were absent in a prize.

With the greatest respect, &c.

JAMES LAWRENCE.

P. S. At the commencement of the action my sailing master and seven men were absent in a prize, and Lieut. Stewart, and six men on the sick list.

## CHAPTER VII.

### CAPTURE OF LITTLE YORK.

*Gen. Dearborn to the Secretary of War.*

*H. Q. York, Upper Canada, April 28, 1813.*

SIR—After a detention of some days by adverse winds, we arrived at this place yesterday morning, and at 8 o'clock commenced landing the troops about 3 miles westward from the town, and one and a half from the enemy's works. The wind was high and in an unfavorable direction for the boats, which prevented the landing of the troops at a clear field, the scite of the ancient French fort Tarento. It prevented also many of the armed vessels from taking positions, which would have most effectually covered our landing—but every thing that could be done was effected.

The riflemen under Major Forsyth first landed, under a heavy fire from Indians and other troops. Gen. Sheaffe commanded in person. He had collected his whole force in the woods near the point where the wind compelled our

troops to land. His force consisted of 700 regulars and militia, and 100 Indians. Major Forsyth was supported as promptly as possible; but the contest was sharp and severe for nearly half an hour, and the enemy were repulsed by a number far inferior to theirs. As soon as Gen. Pike landed with 7 or 800 men, and the remainder of the troops were pushing for the shore, the enemy retreated to their works. Our troops were now formed on the ground originally intended for their landing, advanced through a thick wood, and after carrying one battery by assault, were moving on in columns towards the main work; when in sixty rods of this, a tremendous explosion took place from a magazine previously prepared, and which threw out such immense quantities of stone as most seriously to injure our troops. I have not yet been able to collect the returns of the killed and wounded; but our loss will, I fear, exceed 100; and among these I have to lament the loss of that brave and excellent officer Brig. General Pike, who received a contusion from a large stone, which terminated his valuable life within a few hours. His loss will be severely felt.

Previously to this explosion the enemy had retired into the town, excepting a party of regulars, to the number of 40, who did not escape the effects of the shock, and were destroyed.

General Sheaffe moved off with the regular troops, and left directions with the commanding officer of the militia to make the best terms he could. In the mean time all further resistance on the part of the enemy ceased, and the outlines of a capitulation were agreed upon.

As soon as I learned that Gen. Pike had been wounded, I went on shore. To the Gen. I had been induced to confide the immediate attack, from a knowledge that it was his wish, and that he would have felt mortified had it not been given to him.

Every movement was under my view. The troops behaved with great firmness, and deserve much applause, particularly those first engaged, and under circumstances which would have tried the steadiness of veterans.

Notwithstanding the enemy's advantage in position and numbers in the commencement of action, their loss was greater than ours, especially in officers. It was with great

exertion that the small vessels of the fleet could work into the harbor against a gale of wind, but as soon as they got into a proper position, a tremendous cannonade opened upon the enemy's batteries, and was kept up against them, until they were carried or blown up, and had, no doubt, a powerful effect upon the enemy.

We have not the means of transporting the prisoners and must of course leave them on parole.

I have the honor to be, &c.

HENRY DEARBORN.

*Com. Chauncey to the Secretary of the Navy.*

*U. S. Ship Madison, off York, April 28, 1813.*

SIR—Agreeably to your instructions and arrangements made with Major-Gen. Dearborn, I took on board of the squadron under my command the Gen. and suite, and about 1700 troops, and left Sackett's Harbor on the 25th inst. for this place. We arrived here yesterday morning and took a position about one mile to the south and westward of the enemy's principal fort, and as near the shore as we could with safety to the vessels. The place fixed upon by the Major Gen. and myself for landing the troops, was the site of the old French fort Tarento.

The debarkation commenced about 8 o'clock, A. M. and was completed about 10. The wind blowing heavy from the eastward, the boats fell to leeward of the position fixed upon, and were in consequence exposed to a galling fire from the enemy, who had taken a position in a thick wood near where the first troops landed; however, the cool intrepidity of the officers and men overcame every obstacle. Their attack upon the enemy was so vigorous, that he fled in every direction, leaving a great many of his killed and wounded upon the field. As soon as the troops were landed, I directed the schooners to take a position near the forts, in order that the attack on them by the army and navy might be simultaneous. The schooners were obliged to beat up to their position, which they did in a very handsome order, under a very heavy fire from the enemy's batteries, and took a position within about 600 yards of their principal fort, and opened a heavy cannonade upon the enemy which did great execution, and very much contributed to their final destruction. The troops, as soon as landed,

were formed under the immediate orders of Brig. General Pike, who led in a most gallant manner the attack upon the forts, and after having carried two redoubts in their approach to the principal work, (the enemy having previously laid a train) blew up his magazine, which in its effects upon our troops was dreadful, having killed and wounded a great many, and amongst the former, the ever to be lamented Brig. General Pike, who fell at the head of his column by a contusion received by a heavy stone from the magazine. His death at this time is much to be regretted, as he had the perfect confidence of the Major-General; and his known activity, zeal, and experience, makes his loss a national one.

In consequence of the fall of Gen. Pike, the command of the troops devolved for a time upon Col. Pierce, who soon after took possession of the town. At about 2, P. M. the American flag was substituted for the British, and at about four, our troops were in quiet possession of the town. As soon as Gen. Dearborn learnt the situation of Gen. Pike, he landed and assumed the command. I have the honor of enclosing a copy of the capitulation, which was entered into, and approved by Gen. Dearborn and myself.

The enemy set fire to some of his principal stores, containing large quantities of naval and military stores, as well as a large ship upon the stocks nearly finished—the only vessel found here is the Duke of Gloucester, undergoing repairs—the prince regent left here on the 24th for Kingston. We have not yet had a return made of the naval and military stores, consequently can form no correct idea of the quantity, but have made arrangements to have all taken on board that we can receive—the rest will be destroyed.

I have to regret the death of midshipmen Thompson and Ratfield, and several seamen killed—the exact number I do not know, as the returns from the different vessels have not yet been received.

I have the honor to be, &c.

ISAAC CHAUNCEY.

#### TERMS OF CAPITULATION,

Entered into on the 27th of April, 1813, for the surrender of the town of York, in Upper Canada, to the army and navy of the United States, under the command of Major-Gen. Dearborn and Commodore Chauncey.

That the troops, regular and militia, at this post, and the naval officers and seamen, shall be surrendered prisoners of war. The troops, regular and militia, are to ground their arms immediately on parole, and the naval officers and seamen be immediately surrendered.

That all public stores, naval and military shall be immediately given up to the commanding officers of the army and navy of the U. States.—That all private property shall be guaranteed to the citizens of the town of York.

That all papers belonging to the civil officers shall be retained by them—that such surgeons as may be procured to attend the wounded of the British regulars and Canadian militia shall not be considered prisoners of war.

That 1 Lieut. Col. 1 Major, 13 Cpts, 9 Lieuts. 11 Ensigns, 1 Quarter-master, 1 deputy Adjutant-General, 19 serjeants, 4 corporals, and 204 rank and file, of the militia. Of the field train department 1, of the provincial navy 21, of his majesty's troops 2, and of the royal artillery 1 bombardier and 3 gunners, shall be surrendered as prisoners of war, and accounted for in the exchange of prisoners between the U. States and G Britain.

G. S. MITCHELL, Lt. Col. 3d A. U. S.

SAMUEL S. CONNER, Maj. and A.D. C. to  
Maj. Gen. Dearborn.

WILLIAM KING, Maj. U. S. Infantry.

JESSE D. ELLIOT, Lieut. U. S. Navy.

W. CHEWITT, Lt. Col. com. 3d Reg. Y. militia.

W. ALLAN, Maj. 3d Reg. York militia.

F. GAURREAU, Lieut. M. Dpt.

*Gen. Dearborn to the Secretary of War.*

NIAGARA, May 3, 1813.

[*Extract.*] York was one immense magazine, which supplied Niagara, Detroit, and fort George. The troops were halted a few moments to bring up the heavy artillery to play on the block house, when Gen. Sheaffe despairing of holding the town, ordered fire to be put to the principal magazine, in which was deposited 500 barrels of powder, and an immense quantity of shells and shot. The explosion was tremendous, and raked our column from front to rear with such effect that it killed 52, and wounded 180 of our men, among the latter was brig. Gen. Pike, who died



of his wounds shortly after. Notwithstanding this calamity, and the discomfiture that might be expected to follow it, *the troops gave three cheers, instantly formed, and marched on for the town.* Notwithstanding the immense amount destroyed by them, we found more public property than our vessels could bring away. Gen. Sheaffe's baggage and papers fell into my hands ; they are a valuable acquisition. A SCALP was found in the Executive and Legislative Council Chamber, suspended near the Speaker's chair. A statement of our loss, as well as that of the enemy is sub-joined.

#### AMERICAN LOSS.

Killed in battle 14—do. by the explosion 52.

Wounded in battle 23—do. by the explosion 180.

#### BRITISH LOSS.

Killed in battle 75—do. by their explosion 40.

Wounded in battle 62—do. by their explosion 23.

Prisoners, militia 700—do. regulars 50.

*Gen. Winchester to the Secretary of War.*

*Fort George, Upper Canada, Feb. 11, 1813.*

SIR—On the 23d ultimo, I had the honor of communicating to your excellency the result of the action at Frenchtown on the river Raisin, of the preceding day. I have it now in my power to transmit to you a more detailed account of that transaction, together with a more minute statement of our loss. A list of the killed, and wounded, and missing, is herewith enclosed. The attack upon our camp was commenced about 6 o'clock in the morning, by a heavy fire of small arms together with the discharge of 6 pieces of artillery, directed immediately at our lines, and the houses and temporary breast-work, from behind which a portion of our troops were engaged with the enemy. Early in the action a charge was made by the assailants ; but the fire from our lines was so intense that they were quickly compelled to retire.

In this charge the 41st regiment of British regulars principally suffered, their loss during the charge and in the subsequent engagement, being very considerable. Out of three hundred of these troops about 30 fell dead upon the field, and 90 or 100 wounded were removed from the ground.

It is impossible to state with any degree of accuracy the number of Canadian militia and Indians which were killed or wounded during the engagement; it could, however, not have been small, having received for three or four hours the constant fire of the musketry and riflemen, from the breast-work under which they were formed. The action had endured about a quarter of an hour, when the right division of our troops, who were less secured by a breast-work, and exposed to a heavy fire from a body of Indians and militia, who had possessed themselves of some out-houses within their reach, were obliged to retreat from their lines in the encampment, for the purpose of occupying ground less exposed. This retreat being discovered by the enemy, the whole Indian force, together with a portion of the militia, bore down upon them with redoubled violence, and prevented, by their superiority of numbers and the severity of their fire, the practicability of ever again forming this portion of our troops in order of battle. It was from this division that our principal loss was sustained, few indeed having escaped. Every effort in vain was employed to form them in some order of action, as affording the only means of either repelling the pursuers, or regaining the temporary breast-work from behind which the remaining part of our troops still gallantly defended themselves; but every exertion was in vain employed, and the very few who survived of the party surrendered as prisoners to the enemy.

Our loss in this action will be ascertained by the list herewith enclosed. Among the killed, I have to lament several brave and valuable officers, some of whom had distinguished themselves in the action of the evening of the 18th, and fell on the 22d, while unavailingly engaged in rallying the troops, who retreated in disorder from the lines. Among those, the loss of Cpl. John Allen, and Major E. M'Crannahan, is to be particularly regretted, as also Capt. John H. Woolfolk, one of my aids-de-camp; their exertions were unsuccessful, notwithstanding every possible exertion was employed; they bravely fell in discharge of their respective duties. While I regret the fate of those who bravely fell upon this occasion, I should do injustice to pass over, without notice, the few partakers in their danger, who were fortunate to survive them. To Lieut. Col.

William Lewis, who commanded on the 18th, and to Capt. John Overton, my aid-de-camp, who attended my person on the field, my thanks are particularly due, for their prompt and willing exertion, during every period of the conflict. To the officers and soldiers who bravely maintained their ground in the temporary fortifications, too much praise cannot be bestowed. Assailed by numbers, greatly superior, supported by six pieces of artillery, they gallantly defended themselves with their small arms alone, for near four hours of constant battle. No troops ever behaved with more cool and determined bravery; from the commanding officer down to the private soldier, there was scarce a single abandonment of duty; and at the last when their ammunition was nearly exhausted, and surrounded by the enemy, greatly superior in number and the means of war, surrendered with a reluctance rarely to be found upon similar occasions. The officers commanding in the breast-work defended themselves to the last, with great gallantry, and merit my warmest gratitude, as well as the highest praise of their country.

With sentiments of respect, &c.

J. WINCHESTER.

#### AMERICAN LOSS.

Killed, wounded, and missing 863.

#### BRITISH LOSS.

Killed 150—wounded 158,

#### MASSACRE OF GEN. WINCHESTER'S ARMY.

[*The following Narrative of the massacre at Frenchtown, after Gen. Winchester's defeat, was drawn up by Lieut. Baker of the 2d regt. U. S. Infantry.*]

So much has been said about the Indian massacres at Frenchtown and its neighborhood, that something circumstantial from one who had an opportunity of acquiring information on the subject may not be unacceptable to the public. I therefore submit the following narrative.

On the morning of the 22d of January, I was captured by the Indians about 9 o'clock, with another officer and about forty men. Closely pursued by an overwhelming force of Indians, we were endeavoring to effect our escape, and had attained the distance of about three miles from Frenchtown, when an offer of quarter was made us by an Indian

chief. Many Indian chiefs on horseback being in our rear, tomahawking the hindmost, and withal the men being much wearied with running through the deep snow, we concluded it best to accept the chief's proposition. Accordingly we assembled around him, and gave up the few remaining arms that were still retained in the flight. In a few minutes the Indians on foot came up, and notwithstanding the chief appeared solicitous to save, massacred about half our number. I was led back towards the river along the road we had retreated in. The dead bodies of my fellow comrades, scalped, tomahawked, and stripped, presented a most horrid spectacle to my view. I was at length taken to a fire near Col. Proctor, where I remained till our army capitulated, and marched by me towards Malden. Major Madison,\* as he was marching past, demanded me of the British officer commanding the guard, as an American officer; but the noble Briton replied with a sneer, 'You have too many officers,' and ordered the column to advance which had made a partial halt. I was taken to Sandy creek, about three miles off, on Hull's road, and there kept during the night with about 20 other prisoners. Next morning my master left me in charge of the old Indian, and with the exception of 20 or 30, all the Indians in the camp went back towards the river Raisin. They returned about 2 o'clock, P. M. bringing a number of fresh scalps and about 30 prisoners, many of whom were wounded, though with a single exception, none dangerously. I was told by the prisoners that the Indians had that morning returned to the village, and massacred Capt. Hickman and a great many others, and that they were fearful that Maj. Graves and Capt. Hart were of the number; that some of the wounded had been scalped alive and burned in the houses. I had scarcely been told these things, when a volunteer who was standing by my side, was knocked down,

\* *After the surrender of our troops to the British, at the river Raisin, the Indians, in violation of the articles of capitulation, crowded among them, and were plundering their property—when the heroic Madison desired Col. Proctor to keep them off;—the Indians are fierce and unmanageable, (said Proctor) it cannot be done' Madison coolly replied, 'if you cannot disperse them, I will.'—the men were ordered to shoulder their arms, and Proctor fearing that 'charge bayonet' would follow, waved his sword, and the Indians instantly withdrew.*

scalped, and afterwards tomahawked. Three others were successively treated in the same manner.

Seven days afterwards, I was sold in Detroit to some American gentlemen, and the next day sent over to Sandwich, where I remained nearly three weeks. In this time I had an opportunity of making enquiry about the massacres, and found that 60 had been massacred subsequent to the day of battle, and two officers the day on which the battle was fought, after they had surrendered. Of the first were Capt. N. G. S. Hart of Lexington, Capt. Paschal Hickman of Franklin, John H. Woolfolk, Esq. the General's Secretary; and of the latter Capt. Virgil M'Cracken of Woodford, and Ensign Levi Wells, son of Col. Wells of the U. S. Infantry. Judge Woodward has ascertained several instances of great barbarity exercised on our prisoners, which will appear as soon as that truly philanthropic and patriotic gentleman returns to his own country.—Massacres were not only committed on the 22d and 23d, but also on the 24th, 25th, and 26th, and even three weeks afterwards fresh scalps were brought into Malden.

Should this relation be doubted, many living witnesses of high standing for probity, may be found to attest them.

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*Expedition against the Indians.*—Major Gen. Samuel Hopkins, on the 11th of Nov. 1812, marched with 1000 men under his command, from fort Harrison, on an expedition to the Prophet's town, for the purpose of destroying their village, provisions, &c. On the morning of the 19th, a detachment of 300 men destroyed a town, and a great quantity of corn, belonging to the Winebago tribe, lying on the Ponce Passu creek, one mile from the Wabash, and four from the Prophet's town. On the 20th, 21st, and 22d, they destroyed the Prophet's town and a Kickapoo village, on the opposite side of the river, consisting of upwards of 200 houses, a considerable quantity of corn, &c.

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On the 21st a large body of Indians were discovered above seven miles from the town, by a small party, who the Indians fired on, and killed one man; the next day Lieut. Cols. Miller, and Wilcox, anxious to bury their comrade, as well as gain a more complete knowledge of their situa-

tion and strength, set out with party of horsemen, consisting of about sixty ; the Indians had placed themselves in a strong place, on a ridge of land, running between two large and rapid creeks, which could not be ascended only by a steep ravine—our party returned, after a smart skirmish, in which we lost, in killed, wounded, and missing, 18 men. On the 24th, the main body of the army started for the purpose of destroying the enemy in their strong hold ; but when arrived at the spot they found they had fled, previous to the storm of snow, which fell very deep, on the 23d which prevented any further pursuit.

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*Brig. Gen. Smyth*, in November, 1812, issued several addresses to the inhabitants on the frontiers, for the purpose of raising volunteers to cross into Canada, opposite Niagara. Including the regular army under his command, and the volunteers that repaired to his camp, he had, on the 27th Nov. 4000 men. Two parties were sent across the river to destroy a bridge below fort Erie, and capture and spike the cannon in the batteries, and some pieces of light artillery. After accomplishing their object, the parties separated by misapprehension ; Lieut Angus, the seamen, and a part of the troops returned with all the boats, while Capts. King, Morgan, Sproul, and Houston, with about 60 men, remained. The party thus reduced, took and rendered unserviceable two of the enemy's batteries, captured 34 prisoners, and 2 boats, in which Capt. King sent his prisoners, his own officers, and half of his men across, remaining himself with 30 men, refusing to abandon them.

On the 30th Nov. Gen. Smyth again attempted to cross, with 3000 men, but by some misunderstanding only a few would, or could be made to embark. The killed in both these attempts amounted to about 20—the wounded 30—and prisoners 31. The enemy lost 10 killed—17 wounded, and 34 prisoners, besides an Indian chief.

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*Capt Forsyth*, commandant at Ogdensburg, crossed over to Elizabethtown on the 7th of Feb. 1813, with about 200 volunteers from the militia and citizens, where they surprised the guard, took 42 prisoners, with 1 Maj. 3 Capts. 2 Lieuts. and 120 muskets, 20 rifles, two casks of fixed ammunition, and considerable other public property, which was effected without the loss of a man.

## CHAPTER VIII.

*Gen. Harrison to the Secretary of War.*

*Lower Sandusky, May 13, 1813.*

[*Extract.*] SIR—Having ascertained that the enemy (Indians as well as British) had entirely abandoned the neighborhood of the Rapids, I left the command of camp Meigs with Gen. Clay and came here last night. It is with the greatest satisfaction, I inform you, sir, that I have every reason to believe, that the loss of the Kentucky troops is killed on the north side of the river does not exceed fifty. On the 10th and 11th inst. I caused the ground which was the scene of action, and its environs, to be carefully examined, and after the most diligent search 45 bodies only of our men, were discovered—among them was the leader of the detachment, Col. Dudley. No other officer of note fell in the action. Gen. Proctor did not furnish me with a return of the prisoners in his possession, although repeatedly promised. His retreat was as precipitate as it could properly be, leaving a number of cannon ball, a new elegant sling-carriage for cannon, and other valuable articles. The night before his departure two persons that were employed in the British gun-boats (Americans by birth) deserted to us. The information they gave me was very interesting; they say that the Indians, of which there were from 1600 to 2000, left the British the day before their departure in a high state of dissatisfaction, from the great loss which they had sustained in the several engagements of the 5th, and the failure of the British in accomplishing their promise of taking the post at the Rapids. From the account given by these men, my opinion is confirmed of the great superiority of the enemy which were defeated by our troops in the two sallies made on the 5th inst. That led by Col. Miller did not exceed 350 men, and it is very certain that they defeated 200 British regulars, 150 militia, and 4 or 500 Indians. That American regulars (although they were raw recruits) and such men as compose the Pittsburg, Penn. and Petersburg, Va. volunteers, should behave well, is not to be wondered at—but that a company of militia should maintain its

ground against four times its numbers, as did Capt. Sebres, of the Kentucky, is truly astonishing. These brave fellows were at length however entirely surrounded by Indians, and would have been entirely cut off, but for the gallantry of Lieut. Gwynne of the 19th regiment, who, with part of Capt. Elliott's company, charged the enemy and released the Kentuckians.

A copy of Gen. Clay's report to me of the manner of his executing my order for the attack on the enemies batteries, is likewise forwarded, by which it will be seen that my intention was perfectly understood, and the great facility with which it might have been executed is apparent to every individual who witnessed the scene. Indeed, the cannon might have been spiked, the carriages cut to pieces, the magazine destroyed, and the retreat effected to the boats without the loss of a man, as none were killed in taking the batteries, so complete was the surprize.

An extensive open plain intervenes between the river and the hill upon which the batteries of the enemy were placed; this plain was raked by four of our eighteen pounders, a twelve and a six. The enemy, even before their guns were spiked, could not have brought one to bear on it. So perfectly secured was their retreat, that 150 men who came off, effected it without loss, and brought off some of the wounded, one of them upon the backs of their comrades. The Indians followed them to the woods, but dared not enter into the plain.

I am unable to form a correct estimate of the enemy's force. The prisoners varied much in their accounts; those who made them least, stated the regulars at 550, and militia at 800; but the numbers of Indians were beyond comparison greater than have ever been brought into the field before; numbers arrived after the siege commenced, and they were indeed the efficient force of the enemy.

I have the honor to be, &c.

W. H. HARRISON.

AMERICAN LOSS.

Killed 81—Wounded 189.

British loss not known.



*The following conversation took place between Maj. Chambers and Gen. Harrison, on a demand for the surrender of fort Meigs.*

*Maj. Chambers*—Gen. Proctor has directed me to demand the surrender of this post. He wishes to spare the effusion of blood.

*Gen. Harrison*—The demand, under present circumstances, is a most extraordinary one. As Gen. Proctor did not send me a summons to surrender on his first arrival, I had supposed that he believed me determined to do my duty. His present message indicates an opinion of me that I am at a loss to account for.

*Maj. Chambers*—Gen. Proctor could never think of saying any thing to wound your feelings, sir.—The character of Gen. Harrison, as an officer, is well known. Gen. Proctor's force is very respectable, and there is with him a larger body of Indians that have ever before been embarked.

*Gen. Harrison*—I believe I have a very correct idea of Gen. Proctor's force, it is not such as to create the least apprehension, for the result of the contest, whatever shape he may be pleased hereafter to give to it. Assure the Gen. however, that he will never have this post *surrendered* to him upon any terms. Should it fall into his hands, it will be in a manner calculated to do him more *honor*, and to give him larger claims upon the gratitude of his government than any capitulation could possibly do.

### CAPTURE OF FORT GEORGE.

*Gen. Dearborn to the Secretary of War.*

*H. Q. Fort George (U. C.) May 27, 1813.*

[*Extract.*] SIR—The light troops under the command of Col. Scott and Major Forsyth, landed this morning at 9 o'clock. Major Gen. Lewis's division, with Col. Porter's command of light artillery, supported by them. Gen. Boyd's brigade landed immediately after the light troops, and ~~Gens.~~ *Winder* and *Chandler* in quick succession. The landing was warmly and obstinately disputed by the British forces; but the coolness and intrepidity of our troops soon compelled them to give way in every direction. Gen. Chandler, with the reserve, composed of his brigade and Col. Macomb's artillery covered the whole. Commodore Chauncey had made the most judicious arrangements for

silencing the enemy's batteries, near the point of landing. The army is under the greatest obligations to that able naval commander for his co-operation in all its important movements, and especially in its operations this day. Our batteries succeeded in rendering Fort George untenable, and when the enemy had been beaten from his positions, and found it necessary to re-enter it, after firing a few guns and setting fire to the magazines, which soon exploded, he moved off rapidly by different routes. Our light troops pursued them several miles. The troops having been under arms from one o'clock, in the morning, were too much exhausted for any further pursuit. We are now in possession of Fort George and its immediate dependencies—tomorrow we proceed further on. The behaviour of our troops, both officers and men, entitles them to the highest praise; and the difference in our loss with that of the enemy, when we consider the advantages his positions afforded him, is astonishing.—Col. Meyers of the 49th, was wounded and taken prisoner. Of ours, only one commissioned officer was killed—Lieut. Hobart of the light artillery.

I have the honor to be, &c.

H. DEARBORN.

*Gen. Dearborn to the Secretary of War.*

*H. Q. Fort George, May, 29, 1813.*

[*Extract.*] Lieut. Col. Preston took possession of fort Erie and its dependencies last evening; the post had been abandoned and the magazine blown up.

I have ordered Gen. Lewis to return without delay to this place, and if the winds favor us, we may yet cut off the enemy's retreat.

I was last evening honored with your dispatch of the 15th inst. I have taken measures in relation to the 23 prisoners, who are to be put in close confinement

I have the honor to be, &c.

H. DEARBORN.

#### AMERICAN LOSS.

Killed 39—wounded 111—total 150.

#### BRITISH LOSS.

Killed 108—wounded 163—Prisoners 622—total 893.

*Com. Chauncey to the Secretary of the Navy.*

*U. S. S. Madison, off Niagara, May, 28, 1813.*

SIR—Agreeable to arrangements which I have already had the honor of detailing to you, I left Sacket's Harbor on the 22d inst. with about 350 of Col. M'Comb's regiment on board—the winds being light from the westward, I did not arrive in the vicinity of Niagara before the 25th; the other parts of the squadron had arrived several days before, and landed their troops. The Fair American and Pert I had ordered to Sacket's Harbor, for the purpose of watching the enemy's movements at Kingston. I immediately had an interview with Gen. Dearborn, for the purpose of making arrangements to attack the enemy as soon as possible, and it was agreed between him and myself to make the attack the moment that the weather was such as to allow the vessels and boats to approach the shore with safety. On the 26th, I reconnoitred the position for landing the troops, and at night sounded the shore, and placed buoys to sound out the stations for the small vessels. It was agreed between the General and myself to make the attack the next morning (as the weather had moderated, and had every appearance of being favorable.) I took on board of the Madison, Oneida, and Lady of the Lake, all the heavy artillery, and as many troops as could be stowed. The remainder were to embark in boats and follow the fleet. At 3 yesterday morning the signal was made for the fleet to weigh, and the troops were all embarked on board of the boats before four, and soon after Gens. Dearborn and Lewis came on board of the ship with their suites. It being however nearly calm, the schooners were obliged to sweep into their positions. Mr. Trant in the Julia, and Mr. Mix in the Growler, I directed to take a position in the mouth of the river, and silence a battery near the light house, which from its position commanded the shore where the troops were to land. Mr. Stevens in the Ontario, was directed to take a position to the north of the light house, so near the shore as to enfilade the battery and cross the fire of the Julia and Growler. Lieut. Brown in the Governor Tompkins, I directed to take a position near Two Mile creek, where the enemy had a battery with a heavy gun. Lieut. Pettigrew in the Conquest, was directed to anchor to the southeast of the same battery, so near in as to open on it

in the rear, and cross the fire of the Gov. Tompkins. Lt. M'Pherson in the Hamilton, Lieut. Smith in the Asp, and Mr. Osgood in the Scourge, were directed to anchor close to the shore, and cover the landing of the troops, and to scour the woods and plain wherever the enemy made his appearance. All these orders were promptly and gallantly executed. All the vessels anchored within musket shot of the shore, and in ten minutes after they opened upon the batteries, they were completely silenced and abandoned.

Our troops then advanced in three brigades, the advance led by Col. Scott, and landed near the fort, which had been silenced by Lieut. Brown. The enemy, who had been concealed in a ravine, now advanced in great force to the edge of the bank to charge our troops. The schooners opened so well directed and tremendous a fire of grape and canister, that the enemy soon retreated from the bank. Our troops formed as soon as they landed, and immediately ascended the bank, charged and routed the enemy in every direction, the schooners keeping up a constant well directed fire upon him in his retreat towards the town. Owing to the wind's having sprung up very fresh from the eastward, which caused a heavy sea directly on shore, I was not enabled to get the boats off to land the troops from the Madison and Oneida, before the first and second brigades had advanced. Capt. Smith with the marines, landed with Col. M'Comb's regiment, and I had prepared 400 seamen, which I intended to land with myself, if the enemy had made a stand; but our troops pursued him so rapidly into the town and fort George, that I found there was no necessity for more force; moreover, the wind had increased so much and hove such a sea on shore, that the situation of the fleet had become dangerous and critical. I therefore, made a signal for the fleet to weigh, and ordered them into the river, where they anchored immediately after the enemy had abandoned fort George. The town and forts were in quiet possession of our troops at 12 o'clock, and the enemy retired in a direction towards Queenstown.

Capt. Perry joined me from Erie on the evening of the 25th, and very gallantly volunteered his services, and I have much pleasure in acknowledging the great assistance

which I received from him. We lost but one killed and two wounded, and no injury done to the vessels.

ISAAC CHAUNCEY.

*Com. Channcey to the Secretary of the Navy.*

U. S. Ship Madison, Sacket's Harbor, June 4, 1813.

SIR—I have the honor to present to you, by the hands of Lieut. Dudley, the British standard taken at York, on the 27th of April last, *accompanied by the mace, over which hung a human SCALP.*—These articles were taken from the *Parliament house* by one of my officers, and presented to me. The scalp I caused to be presented to Gen. Dearborn, who I believe still has it in his possession. I also send by the same gentleman, one of the British flags taken at fort George on the 27th of May.

I have the honor to be, &c.

ISAAC CHAUNCEY.

*Lieut. Chauncey to Com. Chauncey.*

Sackett's Harbor, June 18, 1813.

SIR—According to your orders of the 14th inst. I proceeded off Presque Isle in the schooner *Lady of the Lake*. On the morning of the 16th I fell in with and captured the English schooner *Lady Murray*, from Kingston bound to York, loaded with provisions and ammunition.

Enclosed is a list of one ensign, 15 non-commissioned officers and privates found on board, with 6 men attached to the vessel.

I have the honor to be, &c.

WOLCOTT CHAUNCEY.

*Battle at forty mile Creek, Upper Canada.*

Gen Vincent having taken his stand at forty mile Creek, about 33 miles from fort George, after his defeat at the fort, Brig. Gen. Winder was sent in pursuit of him. On the 4th of June, Brig. Gen. Chandler, with another detachment, was sent off from fort George to reinforce Gen. Winder, and arrived at Head Quarters the 5th. A deserter from the American camp informed Gen. Vincent of the situation of the army, and gave him the countersign; in five minutes the whole English army were in motion, and at two o'clock on the morning of the 6th entered our camp. The

two Generals, Winder and Chandler, in endeavoring to form the troops, and the deputy quarter-master General Vandeventer, were surrounded and taken prisoners. Our army formed immediately and attacked the enemy at the point of the bayonet, which soon occasioned a general route, the enemy taking off his prisoners, and leaving Col. Clarke, sixty prisoners, and 250 killed in our hands. Our loss was 17 killed, 38 wounded, and 100 missing.

### ATTACK ON SACKETT'S HARBOR.

*Gen. Brown to the Secretary of War.*

*H. Q. Sackett's Harbor, June 1, 1813.*

**SIR**—On the 25th ultimo, I received a letter from Gen. Dearborn, requesting me to repair to this post for the purpose of taking command. Knowing that Lieut. Col. Backus, an officer of the first regiment of dragoons, and of experience, was here, I hesitated, as I would do no act which might wound his feelings. In the night of the 26th I received a note from this officer, by Maj. Swan, deputy quarter-master Gen. joining in the request already made by Maj. Gen. Dearborn. I could no longer hesitate, and accordingly arrived at this post early in the morning of the 29th. These circumstances will explain how I came to be in command upon this occasion. Knowing well the ground, my arrangements for defence, in the event of an attack, were soon made.

In the course of the morning of the 28th, Lieut. Chauncey, of the navy, came in from the lake, firing guns of alarm. Those of the same character, intended to bring in the militia, were fired from the post. The enemy's fleet soon after appeared accompanied by a large number of boats. Believing that he would land on the peninsula, commonly called Horse Island, I determined to meet him at the water's edge with such militia as I could collect, and the Albany volunteers, under the command of Lieut. Col. Mills; Lieut. Col. Backus, with the regulars, formed a second line; the care of fort Tompkins was committed to the regular artillerists and some volunteers, and that of Navy Point to Lieut. Chauncey of the navy. If driven from my position, Lieut. Col. Backus was ordered to advance and meet the head of the enemy's column, while rallying my corps. I was to fall on its flanks. If unable

here to resist the enemy's attack, Lieut. Chauncey was in that case to destroy the stores, &c. and retire to the south shore of the bay, east of Fort Volunteer, while I proceeded to occupy that fort as our dernier resort.

In the course of the 27th and during the nights of the 28th and 29th ultimo, a considerable militia force came in, and were ordered to the water side, near Horse Island, on which was Lieut. Col. Mills and his volunteers. Our strength at this point was now 500 men—all anxious for battle, as far as profession would go. The moment it was light enough to discover the approach of the enemy, we found his ships in line between Horse Island and Stony Point, and in a few minutes afterwards 33 large boats filled with troops, came off to the larger Indian or Garden Island, under cover of the fire of his gun boats. My orders were, that the troops should lie close, and reserve their fire till the enemy had approached so near that every shot might hit its object. It is, however, impossible to execute such orders with raw troops, unaccustomed to subordination. My orders were in this case disobeyed. The whole line fired, and not without effect—but in the moment while I was contemplating this, to my utter astonishment, they rose from their cover and fled. Col. Mills fell gallantly in brave but vain endeavors to stop his men. I was personally more fortunate. Gathering together about 100 militia, under the immediate command of Capt. M'Nitt of that corps, we threw ourselves on the rear of the enemy's flank, and I trust, did some execution. It was during this last movement that the regulars under Col. Backus, first engaged the enemy—nor was it long before they defeated him.

Hurrying to this point of action, I found the battle still raging, but with obvious advantage on our side. The result of this action, so glorious for the officers and soldiers of the regular army, has already been communicated in my letter of the 29th. Had not Gen. Prevost retreated most *rapidly* under the guns of his vessels, he would never have returned to Kingston.

The enemy's force consisted of 1000 picked men, led by sir George Prevost in person. Their fleet consisted of the new ship *Wolf*, the *Royal George*, the *Prince Regent*, *Earl of Moira*, two armed schooners, and their gun and other boats.

JACOB BROWN.

## AMERICAN LOSS.

Killed 21—wounded 84—missing 50.

## BRITISH LOSS.

Killed 39—wounded 112—prisoners 35.

*Gen. Lewis to the Secretary of War.*

Sackett's Harbor, July 20, 1813.

[Extract]. SIR—Our fleet has gone out of the inner harbor, and appearances are in favor of its going to sea in 48 hours at farthest.

A little expedition of volunteers from the country, to which, by the advice of Com. Chauncey, I lent 40 soldiers, sailed from hence three days since on board of two small row boats, with a six pounder each, to the head of the St. Lawrence, where they captured a fine gun boat mounting a 24 pounder, 14 batteaux loaded with ammunition, 4 officers, and 61 men. Two of our schooners went out and convoyed them in.

*Gen. Harrison to the Secretary of War.*

H. Q. Seneca, August 5, 1813.

I have the honor to enclose you Major Croghan's report of the attack upon fort Stephenson, which has this moment come to hand. With great respect, &c.

W. H. HARRISON.

*Major Croghan to Gen. Harrison.*

Lower Sandusky, August 5, 1813.

Dear Sir—I have the honor to inform you that the combined force of the enemy, amounting to at least 500 regulars and seven or eight hundred Indians, under the immediate command of Gen. Proctor, made its appearance before this place, early on Sunday evening last, and as soon as the Gen. had made such a disposition of his troops as would cut off my retreat, should I be disposed to make one, he sent Col. Elliot, accompanied by Major Chambers, with a flag, to demand the surrender of the fort, as he was anxious to spare the effusion of blood, which he should probably not have in his power to do, should he be reduced to the necessity of taking the place by storm. My answer to the summons was, that I was determined to defend the place to the last extremity, and that no force however



large, should induce me to surrender it. So soon as the flag had returned, a brisk fire was opened upon us from the gun boats in the river and from a 5 1-2 inch howitzer on shore, which was kept up with little intermission throughout the night. At an early hour the next morning, three sixes (which had been placed during the night within 250 yards of the pickets) began to play upon us, but with little effect. About 4 o'clock P. M. discovering that the fire from all his guns were concentrated against the north-western angle of the fort, I became confident that his object was to make a breach, and attempt to storm the works at that point. I therefore ordered out as many men as could be employed for the purpose of strengthening that part, which was so effectually secured by means of bags of flour, sand, &c. that the picketing suffered little or no injury; notwithstanding which, the enemy about 500, having formed in a close column advanced to assault our works at the expected point, at the same time making two feints on the front of Capt. Hunter's lines. The column which advanced against the north-western angle, consisting of about 350 men, was so enveloped in smoke, as not to be discovered until it had approached within 18 or 20 paces of the lines, but the men being all at their posts and ready to receive it, commenced so heavy and galling a fire as to throw the column a little into confusion; being quickly rallied it advanced to the outer works and began to leap into the ditch. Just at that moment a fire of grape was opened from our 6 pounder (which had been previously arranged so as to rake in that direction) which together with the musketry, threw them into such confusion that they were compelled to retire precipitately to the woods.

During the assault, which lasted about half an hour, an incessant fire was kept up by the enemy's artillery (which consisted of five sixes and a howitzer) but without effect. Seventy stand of arms, and several braces of pistols have been collected near the works. About three in the morning the enemy sailed down the river, leaving behind them a boat containing clothing and considerable military stores. Yours with respect, &c. G. CROGHAN.

#### AMERICAN LOSS.

Killed 1—wounded 7.

#### BRITISH LOSS.

Killed 52—wounded 98—prisoners 25.

- By a letter from Gov. Huntington, dated *Lower Sandusky, Aug. 4*, it appears that Major Croghan's force was 160, and that of the enemy, 800. It further states that the enemy lost 40 men killed in the ditch with Lieut. Colonel Short, and several officers; and about the same number of regulars while advancing to the attack, besides Indians. Our loss was one killed, and five wounded.—The enemy, 83 killed and 25 prisoners.

'What will Gen. Proctor say, when he finds he has been baffled by a youth, but just passed his 21st year. He is, however, a Hero worthy of his gallant uncle, Gen. George B. Clarke.' [See Gen. Harrison to the Secretary of War.]

### LOSS OF THE CHESAPEAKE.

*Lieut. Budd to the Secretary of the Navy.*

*Halifax, June 15, 1813.*

SIR—The unfortunate death of Capt. *James Lawrence*, and Lieut. *Augustus C. Ludlow*, has rendered it my duty to inform you of the capture of the late U. States frigate *Chesapeake*.

On Tuesday, June 1, at 8, A. M. we unmoored ship and at meridian got under way from President's Roads, with a light wind from the southward and westward, and proceeded on a cruise. A ship was then in sight in the offing which had the appearance of a ship of war, and which, from information received from pilot boats and craft, we believed to be the British frigate *Shannon*. We made sail in chase and cleared ship for action. At half past 4 P. M. she hove to, with her head to the southward and eastward. At 5, took in the royals and top-gallant-sails and at half past five hauled the courses up. About 15 minutes before 6, the action commenced within pistol shot. The first broadside did great execution on both sides, damaged our rigging, killed among others Mr. White the sailing master, and wounded Capt. Lawrence. In about 12 minutes after the commencement of the action, we fell on board of the enemy and immediately after one of our arm chests on the quarter-deck was blown up by a hand grenade thrown from the enemy's ship. In a few minutes one of the Capt's aids came on the gun deck to inform me that the boarders were called. I immediately called the boarders away and proceeded to the spar deck, where

I found that enemy had succeeded in boarding us and had gained possession of our quarter deck. I immediately gave orders to haul on board the fore tack, for the purpose of shooting the ship clear of the other, and then made an attempt to regain the quarter deck, but was wounded and thrown down on the gun deck. I again made an effort to collect the boarders, but in the mean time the enemy had gained complete possession of the ship. On my being carried down to the cock-pit, I there found Capt. Lawrence and Lieut. Ludlow both mortally wounded; the former had been carried below previously to the ship's being boarded; the latter was wounded in attempting to repel the boarders. Among those who fell early in the action was Mr. Edward J. Ballard, the 4th Lieut. and Lieut. James Broom of marines.

I herein enclose to you a return of the killed and wounded, by which you will perceive that every officer, upon whom the charge of the ship would devolve, was either killed or wounded previously to her capture.

The Shannon had, in addition to her full complement, an officer and 16 men belonging to the Belle Poule, and a part of the crew belonging to the Tenedos.

I have the honor to be, &c.

GEORGE BUDD.

AMERICAN LOSS.

Killed 60—wounded 86.

BRITISH LOSS.

Killed 27—wounded 68.

*Com. Chauncey to Secretary of the Navy.*

*U. S. S. Gen. Pike, off Niagara, Aug. 4, 1813.*

[Extract.] SIR—On the 25th I was joined by the *Pert*, and on the 27th by the *Lady of the Lake*, with guides, and Capt. Crane's company of artillery, and Col. Scott, who had very handsomely volunteered for the service—After conversing with Col. Scott upon the subject; it was thought advisable to take on board 250 Infantry, which by the extraordinary exertions of that excellent officer, were embarked before six o'clock the next morning and arrived and anchored in the harbor of York, at about 3 P. M. on the 31st, run the schooners into the upper harbor, landed the marines and soldiers under the command of Col. Scott,

without opposition, found several hundred barrels of flour and provisions in the public storehouse, five pieces of cannon, eleven boats, and a quantity of shot, shells, and other stores, all which were either destroyed or brought away. On the 1st inst. just after receiving on board all the vessels could take, I directed the barracks and the public storehouses to be burnt; we then re-embarked the men and proceeded for this place, where I arrived yesterday. Between 4 and 600 men left York for the head of the lake two days before we arrived there. Some few prisoners were taken, some of whom were paroled, the others have been landed at Fort George.

I have the honor to be, &c.

ISAAC CHAUNCEY.

### CAPTURE OF THE DOMINICO.

*Capt. John H. Dent to the Secretary of the Navy.*

Charleston, Aug. 21, 1813.

[Extract.] I have the honor to inform you that the privateer schooner Decatur, of this port, arrived here yesterday, with H. B. M. schooner Dominico, her prize.

She was captured on the 15th inst. after a most gallant and desperate action of one hour, and carried by boarding, having all her officers killed or wounded except one midshipman. The Dominico mounts 15 guns, one a 32 pounder on a pivot, and had a complement of 88 men.

She was one of the best equipped and manned vessels of her class I have ever seen. The Decatur mounts 7 guns, and had a complement of 108 men.

I have the honor to be, &c.

JOHN H. DENT.

#### AMERICAN LOSS.

Killed 5—wounded 14.

#### BRITISH LOSS.

Killed 18—wounded 42—prisoners 70.

*Burning of Sodus, N. Y.*—Sodus was the first town burnt in this war. This was a handsome little village of about 40 houses. The British appeared off the place, the 17th June, 1813, but finding a considerable militia force, put off into the Lake. The militia were disbanded on the 20th when the enemy again returned, and effected a landing.

Finding the public stores, chiefly removed, they immediately set fire to every valuable house in the village, and returned to their vessels, after suffering a loss of 4 killed, and several wounded, by a few citizens. The enemy's force consisted of the Royal George, Earl Mordaunt, Prince Regent, Simcoe's ship, and several small boats and tenders.

*Attack on Craney Island. (Vir.)*—On the 20th June, the British attempted a landing on this Island, for the purpose of more easily conquering Norfolk. Thirteen ships of the line anchored off James river, from which about 8600 troops were embarked for Craney Island.—Com. Cassin, of the gun boats, and Capt. Morris, of the Constellation frigate, manned two batteries with 250 men on the point of the Island to receive them; the remainder of the force, 200 were stationed on the beach. At 8 o'clock the barges attempted to land, but were driven back, with the loss of 250 killed and wounded, and 45 prisoners, and their largest barge, which was sunk, with 75 men on board; the boat and 20 men were finally saved by the Americans—our loss was 28 killed and wounded.

*Capture of Hampton.*—The 25th of June the force that attempted Craney Island, landed at Hampton, and carried it after a gallant defence made by our militia, 436 strong, for forty-five minutes. The enemy attacked us by land and water; their land force was about 2500 strong, of whom 400 were riflemen. After our men were completely surrounded, they saw that they must either surrender, or break their way through the enemy's lines. They resolved upon the latter, when the gallant Maj. Crutchfield, led them on, and broke the lines, and made good their retreat, after killing and wounding 200 of their adversaries. Our loss on this occasion was seven killed, twelve wounded, and twelve prisoners.

A scene now commenced sufficient to chill the blood of the Savages, and even put them to the blush.

'To give you, sir, (says Maj. Crutchfield in his official account to Gov. Barbour,) an idea of the savage-like disposition of the enemy, on their getting possession of the neighborhood, would be a vain attempt. Although sir Sidney Beckwith assured me that no uneasiness need be

felt, in relation to the unfortunate Americans, the fact is that on yesterday, [two days after the battle,] there were several dead bodies lying unburied, and the wounded not even assisted into the town, although observed to be crawling through the fields towards that cold and inhospitable reception.

‘The unfortunate females of Hampton, who could not leave the town, were suffered to be abused in the most shameful manner, not only by the venal savage foe, but by the unfortunate and infatuated blacks, who were encouraged in their excesses. They pillaged and encouraged every act of rapine and murder, killing a poor man, by the name of Kirby who had been lying on his bed at the point of death, for more than six weeks, shooting his wife at the same time, in the hip, and killing his faithful dog lying under his feet. The murdered Kirby was lying last night, weltering in his blood.’

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*Capt. Cooper to Lieut. Gov. Mallory.*

[*Extract.*] SIR—‘The enemy took possession of Hampton, with upwards of 2000 men against those above mentioned; with the immense loss of upwards of 200 killed and wounded, on their part. We had about 5 killed, 10 wounded, and 4 prisoners,—the balance have been accounted for.

‘I was yesterday in Hampton with my troop, that place having been evacuated in the morning.—*My blood ran cold at what I saw and heard.*—Tears were shedding in every corner,—the infamous scoundrels, monsters, *destroyed every thing*, but the houses, and (my pen is almost unwilling to describe it,) the *women were ravished by those abandoned ruffians.*—Great God! my dear friend, figure to yourself our Hampton females, seized, and treated with violence by those *monsters*, and not a solitary American present to avenge their wrongs!! But enough—I can say no more of this.’

*Certificate.* The enemy robbed the Pulpit and Communion Table, in the Episcopal Church, of all the trappings, &c. together with all the plate, although inscribed with the name of the Donor, and of the parish to which they belonged. They committed *Rape* in many instances and murdered a sick man in his bed, and shot a ball through

his wife's thigh; they wantonly destroyed every species of property that they had no use for, and, in fact, even stripped the shirt off the back of *George Hope*, sen'r about 70 years of age, and took the shoes from his feet, after pricking him with the bayonet.

**JOHN WESTWOOD, Hampton.**

*Murder of John B. Graves.*—Mr. Graves was a member of the 23d regt. Infantry, and was wounded through the arm at the attack on Sackett's Harbor in May, and was removed to Oswego. When Oswego was attacked, Graves had so far recovered as to be able to load and fire, and stood his ground like a hero. Unfortunately, he was again wounded, and carried to a log house with two others. Our men shortly after retreated, and an **ENGLISH OFFICER**, a *Lieutenant*, came to the door of the house, and presented a fuzee at him; upon which Graves exclaimed, 'O mercy, for heaven's sake shew me mercy; dont shoot me again, I am badly wounded.' The officer cocked his piece, which was within its own length of Graves, weltering in his blood, and with an infernal grin, said **I'LL SHEW YOU MERCY, GOD DAMN YOU,** and immediately discharged its contents, a ball and three buckshot, into his breast. This inhuman villain soon met his reward, for scarcely had he turned his eyes from the object of his barbarity, when he was shot through the brain, and fell dead almost within reach of Graves.

*Skirmishing at fort George; U. Canada.*

On the 14th of August 1813, Gen. Proctor attacked our pickets at day break; after a short engagement, in which the enemy had 15 killed, and one Capt. and several privates made prisoners, our force retired to the fort with the loss of 2 killed and several wounded.

On the night of the 17th, our troops and a few Indians formed an ambuscade, about 300 strong, immediately in front of the British camp. At day light our Indians rose and gave the war-whoop, and the enemy considering it a friendly call; came forth, and were within half rifle shot before they discovered the stratagem. They were met upon all sides, and made but little resistance; 75 being killed the first shot, and the remainder, 16, surrendered as prisoners.

*Col. Wm. Russell*, of Vincennes, with 573 men, chiefly volunteers, from Kentucky and Ohio, marched from Villonia, on the 25th June, for the purpose of relieving the frontier inhabitants of the savages. In marching through their country four weeks, they succeeded in destroying sixteen of their villages, and a considerable quantity of corn, &c. and returned without the loss of a single man, bringing in several prisoners, and 10 horses which the Indians had pillaged a few days before from the inhabitants.

*A Yankee trick.*—On the 5th of July, 1813, Com. Lewis, commandant of the flotilla of gun boats at New-York, sent out the fishing smack *Yankee*, from Musquito cove, for the purpose of taking by stratagem, the sloop *Eagle*, a tender to the *Poictiers* of 74 guns, which had been very troublesome to the fishermen off Sandy Hook, where they were cruising. A calf, a sheep, and a goose were purchased and secured on deck; and between 30 and 40 men, well armed with muskets, were secreted in the cabin and fore peak of the smack. Thus prepared, with three men dressed in fisherman's clothes on deck, she put out to sea as if going on a fishing trip. The *Eagle* on perceiving the smack gave chase, and after coming up with her, seeing she had live stock on deck, ordered her to go down to the Commodore, about five miles distant. The helmsman cried 'aye, aye, sir,' and apparently put up the helm for that purpose, which brought her alongside the *Eagle*, not more than three yards distant. The watch-word, *Lawrence*, was then given, when the armed men rushed from their hiding places and poured into her a volley of musketry, which struck her crew with dismay, and drove them all into the hold with such precipitancy, that they had not time to strike their colours. The *Eagle* had on board a 32 lb. brass howitzer, loaded with shot; but their surprise was so sudden that they had not time to fire it. The crew consisted of a master, one midshipman, and 11 marines from the *Poictiers*.—The prize arrived at Whitehall, amidst the shouts of thousands who were celebrating the 4th of July.



## BURROWS' VICTORY.

*Lieut. M'Call to the Secretary of the Navy.*

*U. S. Brig Enterprize, Portland, 7th Sept. 1813.*

[*Extract.*] SIR—In consequence of the unfortunate death of Lieut. William Burrows, late commander of this vessel, it devolves on me to acquaint you with the result of the cruise. After sailing from Portsmouth on the 1st inst. we steered to the eastward; and on the morning of the 3d, off Wood Island, discovered a schooner, which we chased into this harbor, where we anchored. On the morning of the 4th, weighed anchor, and swept out, and continued our course to the eastward. Having received information of several privateers being off Manbagan, we stood for that place; and on the following morning, in the bay near Penguin Point, discovered a brig getting under way, which appeared to be a vessel of war, and to which we immediately gave chase. She fired several guns, and stood for us, having four ensigns hoisted. After reconnoitering and discovering her force, and the nation to which she belonged, we hauled upon a wind to stand out of the bay, and at 3 o'clock shortened sail, tacked to run down with an intention to bring her to close action. At twenty minutes after 3 P. M. when within half pistol shot, the firing commenced from both, and after being warmly kept up, and with some manœuvring, the enemy hailed and said they had surrendered, about 4 P. M. *Their colours being nailed to the masts, could not be hauled down.* She proved to be his B. M. brig Boxer, of 14 guns, Samuel Blythe, Esq. commander, who fell in the early part of the engagement, having received a cannon shot through the body. And I am sorry to add that Lieut. Burrows, who had gallantly led us into action, fell also about the same time by a musket ball, which terminated his existence in eight hours.

The Enterprize suffered much in spars and rigging, and the Boxer in spars, rigging, and hull, having many shots between wind and water.

As no muster roll that can be fully relied on has come into my possession, I cannot exactly state the number killed and wounded on board the Boxer, but from information received from the officers of that vessel, it appears there were between twenty and twenty-five killed, and fourteen

wounded. Enclosed is a list of the killed and wounded on board the *Enterprize*. I have the honor to be, &c.

EDWARD R. M'CALL, *Senior Officer*.

AMERICAN LOSS.

Killed 4—Wounded 10—total 14.

BRITISH LOSS.

Killed 25—Wounded 14—total 39.

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## CHAPTER IX.

### PERRY'S VICTORY.

*Com. Perry to the Secretary of the Navy.*

*U. S. brig Niagara, Lake Erie, Sept. 10, 1813.*

SIR—It has pleased the Almighty to give to the arms of the United States a signal victory over their enemies on this lake. The British squadron consisting of 2 ships, 2 brigs, 1 schooner, and 1 sloop, have this moment surrendered to the force under my command, after a sharp conflict. I have the honor to be, &c.

O. H. PERRY.

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*Com. Perry to the Secretary of the Navy.*

*U. S. Sch. Ariel, Put-in-bay, Sept. 13, 1813.*

SIR—In my last I informed you that we had captured the enemy's fleet on this lake. I have now the honor to give you the most important particulars of the action. On the morning of the 10th inst. at sun-rise, they were discovered from Put-in-bay, where I lay at anchor with the squadron under my command. We got under weigh, the wind light at S. W. and stood for them. At 10 A. M. the wind hauled to S. E. and brought us to windward; formed the line and bore up. At 15 minutes before twelve, the enemy commenced firing; at 5 minutes before twelve the action commenced on our part. Finding their fire very destructive, owing to their long guns, and its being mostly directed at the *Lawrence*, I made sail, and directed the other vessels to follow for the purpose of closing with the enemy. Every brace and bowline being soon shot away, she became unmanageable, notwithstanding the great exertions of the sailing-master. In this situation she sus-

tained the action upwards of two hours within canister distance, until every gun was rendered useless, and the greater part of her crew either killed or wounded. Finding she could no longer annoy the enemy, I left her in charge of Lieut. Yarnall, who, I was convinced from the bravery already displayed by him, would do what would comport with the honor of the flag. At half past two, the wind springing up, Capt. Elliot was enabled to bring his vessel, the Niagara, gallantly into close action; I immediately went on board of her, when he anticipated my wish by volunteering to bring the schooners which had been kept astern by the lightness of the wind, into close action. It was with unspeakable pain that I saw soon after I got on board the Niagara, the flag of the Lawrence come down, although I was perfectly sensible that she had been defended to the last, and that to have continued to make a show of resistance would have been a wanton sacrifice of the remains of her brave crew. But the enemy was not able to take possession of her, and circumstances soon permitted her flag again to be hoisted. At 45 minutes past two, the signal was made for 'close action.' The Niagara, being very little injured, I determined to pass through the enemy's lines, bore up and passed ahead of their two ships and a brig, giving a raking fire to them from the starboard guns, and to a large schooner, and sloop, from the larboard side, at half pistol-shot distance. The smaller vessels at this time having got within grape and canister distance, under the direction of Capt. Elliot, and keeping up a well directed fire, the 2 ships, a brig, and a schooner, surrendered, a schooner and sloop making a vain attempt to escape.

Those officers and men who were immediately under my observation evinced the greatest gallantry, and I have no doubt that all others conducted themselves as became American officers and seamen. Lieut. Yarnall, first of the Lawrence, although several times wounded, refused to quit the deck.

I have the honor to enclose you a statement of the relative force of the squadrons. The Capt. and first Lieut. of the Queen Charlotte, and first Lieut. of the Detroit were killed—Capt. Barclay, senior officer, and the commander of the Lady Prevost, severely wounded. The commander of the Hunter and Chippeway slightly wounded. Their

loss in killed and wounded I have not been able to ascertain ; it must, however, have been very great.

Very, respectfully, &c.

O. H. PERRY.

*U. S. Sch. Ariel, Put-in-bay, Sept. 13, 1813.*

SIR—I have caused the prisoners taken on the 10th inst. to be landed at Sandusky, and have requested Gen. Harrison to have them marched to Chillicothe, and there wait until your pleasure shall be known respecting them.

The *Lawrence* has been so entirely cut up, it is absolutely necessary she should go into a safe harbor ; I have therefore directed Lieut. Yarnall to proceed to Erie in her, with the wounded of the fleet, and dismantle and get her over the bar as soon as possible.

The two ships in a heavy sea this day at anchor lost their masts, being much injured in the action. I shall haul them into the inner bay at this place and moor them for the present. The *Detroit* is a remarkably fine ship, sails well, and is very strongly built. The *Queen Charlotte* is a much superior vessel to what has been represented. The *Lady Prevost* is a large fine schooner.

*Force of the American squadron.*

*Lawrence* 20 guns—*Niagara* 20—*Caledonia* 8—*Ariel* 4—*Scorpion* 2—*Somers* 4—*Trippe* 1—*Tigress* 1—*Porcupine* 1—total 56 guns.

*Force of the British squadron.*

*Detroit* 21 guns—*Queen Charlotte* 18—*Lady Prevost* 14—*Hunter* 10—*Little Belt* 3—*Chippeway* 3—total 69 guns.

The exact number of the enemy's force has not been ascertained, but I have good reason to believe that it exceeded ours by nearly 100 men.

I have the honor to be, &c.

O. H. PERRY.

AMERICAN LOSS.

Killed 27—wounded 96.

British loss not known.

## CAPTURE OF MALDEN.

*Gen. Harrison to the Secretary of War.*

*H. Q. Amherstburg, Sept. 23, 1813.*

SIR—I have the honor to inform you that I landed the army under my command about 3 miles below this place at 3

o'clock this evening, without opposition, and took possession of the town in an hour after. Gen. Proctor has retreated to Sandwich with his regular troops and Indians, having previously burned the fort, navy yard, barracks, and public store houses; the two latter were very extensive, covering several acres of ground. I will pursue the enemy to-morrow, although there is no probability of my overtaking him, as he has upwards of one thousand horses, and we have not one in the army. I shall think myself fortunate to be able to collect a sufficiency to mount the Gen. officers. It is supposed here that Gen. Proctor intends to establish himself upon the river French, forty miles from Malden.

I have the honor to be, &c.

WILLIAM H. HARRISON.

### HARRISON'S VICTORY.

*Gen. Harrison to the Secretary of War.*

*H. Q. Detroit, Oct. 9, 1813.*

SIR—In my letter from Sandwich of the 23d ultimo, I did myself the honor to inform you, that I was preparing to pursue the enemy the following day. From various causes, however I was unable to put the troops in motion until the morning of the 2d inst. and then to take with me only about one hundred and forty of the regular troops, Johnson's mounted regiment, and such of Governor Shelby's volunteers as were fit for a rapid march, the whole amounting to about three thousand five hundred men. To Gen. M'Arthur (with about 700 effectives) the protecting of this place and the sick was committed. Gen. Cass's brigade, and the corps of Lieut. Col. Ball, were left at Sandwich, with orders to follow me as soon as the men received their knapsacks and blankets, which had been left on an island in Lake Erie.

The unavoidable delay at Sandwich was attended with no disadvantage to us. Gen. Proctor had posted himself at Dalson's on the right bank of the Thames (or Trench) fifty six miles from this place, where I was informed he intended to fortify and wait to receive me. He must have believed, however, that I had no disposition to follow him, or that he had secured my continuance here, by the reports that were circulated that the Indians would attack and destroy

this place upon the advance of the army ; as he neglected to commence the breaking up the bridges until the night of the 2d inst. On that night our army reached the river, which is twenty-five miles from Sandwich, and is one of 4 streams crossing our route, over all of which are bridges, and being deep and muddy, are unfordable for a considerable distance into the country—the bridge here was found entire, and in the morning I proceeded with Johnson's regiment to save if possible the others. At the second bridge over a branch of the river Thames, we were fortunate enough to capture a Lieut. of dragoons and eleven privates, who had been sent by Gen. Proctor to destroy them. From the prisoners I learned that the third bridge was broken up and that the enemy had no certain information of our advance. The bridge having been imperfectly destroyed, was soon repaired and the army encamped at Drake's farm, four miles below Dalson's.

The river Thames, along the banks of which our route lay, is a fine deep stream, navigable for vessels of considerable burden, after the passage of the bar at its mouth, over which, there is six and a half feet water.

The baggage of the army was brought from Detroit in boats protected by three gun-boats, which Com. Perry had furnished for the purpose, as well as to cover the passage of the army over the Thames itself, or the mouths of its tributary streams ; the banks being low and the country generally open (prairies) as high as Dalson's, these vessels were well calculated for that purpose. Above Dalson's however, the character of the river and adjacent country is considerably changed.—The former, though still deep, is very narrow and its banks high and woody. The Commodore and myself therefore agreed upon the propriety of leaving the boats under a guard of one hundred and fifty infantry, and I determined to trust to fortune and the bravery of my troops to effect the passage of the river. Below a place called Chatham and 4 miles above Dalson's is the third unfordable branch of the Thames ; the bridge over its mouth had been taken up by the Indians, as well as that at M'Gregor's Mills, one mile above—several hundred of the Indians remained to dispute our passage, and upon the arrival of the advanced guard, commenced a heavy fire from the opposite bank of the creek as well as that of the

river. Believing that the whole force of the enemy was there, I halted the army, formed in order of battle, and brought up our two six-pounders to cover the party that were ordered to repair the bridge—a few shot from those pieces, soon drove off the Indians and enabled us, in two hours to repair the bridge and cross the troops. Col. Johnson's mounted regiment being upon the right of the army, had seized upon the remains of the bridge at the mills under a heavy fire from the Indians. Our loss on this occasion, was two killed and three or four wounded, that of the enemy was ascertained to be considerably greater. A house near the bridge containing a very considerable number of muskets had been set on fire—but it was extinguished by our troops and the arms saved. At the first farm above the bridge, we found one of the enemy's vessels on fire, loaded with arms and ordnance stores, and learned that they were a few miles ahead of us, still on the right bank of the river with the great body of the Indians. At Bowles' farm, four miles from the bridge we halted for the night, found two other vessels and a large distillery filled with ordnance and other valuable stores to an immense amount in flames—it was impossible to put out the fire—two twenty-four-pounders with their carriages were taken and a large quantity of ball and shells of various sizes. The army was put in motion early on the morning of the 5th; I pushed on in advance with the mounted regiment and requested Gov. Shelby to follow as expeditiously as possible with the infantry; the Governor's zeal and that of his men, enabled them to keep up with the cavalry, and by 9 o'clock, we were at Arnold's Mills, having taken in the course of the morning two gun-boats and several batteaux loaded with provisions and ammunition.

A rapid at the river at Arnold's mills affords the only fording to be met with for a considerable distance, but, upon examination, it was found too deep for the infantry. Having, however, fortunately taken two or three boats and some Indian canoes on the spot, and obliged the horsemen to take a foot-man behind each, the whole were safely crossed by 12 o'clock. Eight miles from the crossing we passed a farm, where a part of the British troops had encamped the night before, under the command of Col. Warburton. The detachment with Gen. Proctor had arrived

the day before at the Moravian towns, 4 miles higher up. Being now certainly near the enemy, I directed the advance of Johnson's regiment to accelerate their march for the purpose of procuring intelligence. The officer commanding it, in a short time, sent to inform me, that his progress was stopped by the enemy, who were formed across our line of march. One of the enemy's waggons being also taken prisoner, from the information received from him, and my own observation, assisted by some of my officers, I soon ascertained enough of their position and order of battle, to determine that, which it was proper for me to adopt.

From the place where our army last halted, to the Moravian towns a distance of about three and a half miles, the road passes through a beach forest without any clearing, and for the first two miles near to the bank of the river. At from two to 300 yards from the river, a swamp extends parallel to it, throughout the whole distance. The intermediate ground is dry, and although the trees are tolerably thick, it is in many places clear of underbrush. Across this strip of land, its left *appayed* upon the river, supported by artillery placed in the wood, their right in the swamp covered by the whole of the Indian force, the British troops were drawn up.

The troops at my disposal consisted of about 120 regulars of the 27th regiment, five brigades of Kentucky volunteer militia infantry, under his Excellency Gov. Shelby, averaging less than five hundred men, and Col. Johnson's regiment of mounted infantry, making in the whole an aggregate, something about 3000. No disposition of an army opposed to an Indian force can be safe unless it is secured on the flanks and in the rear. I had therefore no difficulty in arranging the infantry conformably to my general order of battle. Gen. Trotter's brigade of 500 men, formed the front line, his right upon the road and his left upon the swamp. Gen. King's brigade as a second line, 150 yards in the rear of Trotter's, and Chiles' brigade as a corps of reserve in the rear of it. These three brigades formed the command of Major-General Henry; the whole of Gen. Desha's division, consisting of two brigades, were formed *en potence* upon the left of Trotter.



Whilst I was engaged in forming the infantry, I had directed Col. Johnson's regiment, which was still in front, to be formed in two lines opposite to the enemy, and upon the advance of the infantry, to take ground to the left, and forming upon that flank to endeavor to turn the right of the Indians. A moment's reflection, however, convinced me that from the thickness of the woods and swampiness of the ground, they would be unable to do any thing on horseback, and there was no time to dismount them and place their horses in security. I therefore determined to refuse my left to the Indians, and to break the British lines at once by a charge of the mounted infantry; the measure was not sanctioned by any thing I had ever seen or heard of; but I was fully convinced that it would succeed. The American back woodsmen ride better in the woods than any other people. A musket or rifle is no impediment to them, being accustomed to them from their earliest youth. I was persuaded, too, that the enemy would be quite unprepared for the shock, and that they could not resist it. Conformable to this idea, I directed the regiment to be drawn up in close column, with its right at the distance of 50 yards from the road, (that it might be, in some measure, protected by the trees from the artillery) its left upon the swamp, and to charge at full speed as soon as the enemy had delivered their fire. The few regular troops of the 27th regiment, under Col. Paul, occupied in a column of sections of four, the small space between the road and the river, for the purpose of seizing the enemy's artillery, and some ten or twelve friendly Indians to move under the bank. The *crotchet* formed by the front line, and Gen. Desha's division, was an important point. At that place the venerable *Governor of Kentucky* was posted, who, at the age of sixty-six, preserves all the vigor of youth, the ardent zeal which distinguished him in the revolutionary war, and the untaunted bravery which he manifested at *King's mountain*. With my aids-de-camp, the acting assistant Adj. General, Capt. Butler, my gallant friend Com. Perry, who did me the honor to serve as my volunteer aid-de-camp, and Brig. Gen. Cass, who having no command, tendered me his assistance, I placed myself at the head of the front line of infantry, to direct the movements of the cavalry, and give them the necessary support.

The army had moved on in this order but a short distance, when the mounted men received the fire of the British line, and were ordered to charge; the horses in the front of the column recoiled from the fire; another was given by the enemy, and our column at length getting in motion, broke through the enemy with irresistible force. In one minute the contest in front was over; the British officers seeing no hope of reducing their disordered ranks to order, and our mounted men wheeling upon them and pouring in a destructive fire, immediately surrendered. It is certain that three only of our troops were wounded in this charge. Upon the left, however, the contest was more severe with the Indians. Col. Johnson, who commanded on that flank of his regiment, received a most galling fire from them, which was returned with great effect. The Indians still further to the right advanced and fell in with our front line of infantry, near its junction with Desha's division, and for a moment made an impression upon it. His Excellency Gov. Shelby, however, brought up a regiment to its support, and the enemy receiving a severe fire in front, and a part of Johnson's regiment having gained their rear, retreated with precipitation. Their loss was very considerable in the action, and many were killed in their retreat.

I can give no satisfactory information of the number of Indians that were in the action, but they must have been considerably upwards of 1000. From the documents in my possession, (Gen. Proctor's official letters, all of which were taken) and from the information of respectable inhabitants of this Territory, the Indians kept in pay by the British were much more numerous than has been generally supposed. In a letter to Gen. de Rottenburgh, of the 27th ult. Gen. Proctor speaks of having prevailed upon 3,200 of the Indians to accompany him. Of these it is certain that 50 or 60 Wyandot warriors abandoned him.

The number of our troops were certainly greater than that of the enemy, but when it is recollected, that they had taken a position that effectually secured their flank, which it was impossible for us to turn, and that we could not present to them a line more extended than their own, it will not be considered arrogant, to claim for my troops, the palm of superior bravery.

In communicating to the President, through you, sir, my opinion of the conduct of the officers who served under me, I am at a loss how to mention that of Gov. Shelby, being convinced that no eulogium of mine can reach his merits. The Governor of an independent state, greatly my superior in years, experience, and in military character, he placed himself under my command, and was not more remarkable for his zeal and activity, than for the promptitude and cheerfulness with which he obeyed my orders.

On the day of action, 6 pieces of brass artillery were taken, and two iron 24 pounders the day before. Several others were discovered in the river and can be easily procured. Of the brass pieces, three are the trophies of our revolutionary war, that were taken at Saratoga and York, and surrendered by Gen. Hull.

I have the honor to be, &c.

WILLIAM H. HARRISON.

AMERICAN LOSS.

Killed 7—wounded 22.

BRITISH LOSS.

Killed 112—wounded, not known—prisoners 604.

The fruits of Gen. Harrison's victory independent of the great advantages obtained, are of the British regular army, 609 non-commissioned officers and privates, 2 Cols. 4 Majors, and 19 officers of the line, prisoners; and 12 pieces of cannon, 6000 stands of arms, 5 gun-boats, and ammunition and stores to the amount of 1,000,000 of Dollars!!

#### SPEECH OF TECUMSEH.\*

*In the name of the Indian chiefs and warriors, to Maj. Gen. Proctor, as the representatives of their great father the king.*

Father, listen to your children! You have them now all before you.

The war before this,† our British father gave the hatchet to his red children, when our chiefs were alive.

They are now dead. In that war, our father was thrown on his back by the Americans, and our father took them by

\* Tecumseh was killed at the battle of the Moravian towns.

† The Revolutionary war.

the hand without our knowledge ;\* and we are afraid that our father will do so again, at this time.

Summer before last, when I came forward with my red brethren, and was ready to take up the hatchet in favor of our British father, we were told not to be in a hurry; that he had not yet determined to fight the Americans.

*Listen !*—When war was declared, our father stood up and gave us the tomahawk, and told us that he was then ready to strike the Americans ; that he wanted our assistance ; and that he would certainly get us our lands back, which the Americans had taken from us.

*Listen !*—You told us, at that time, to bring forward our families to this place ; and we did so ; and you promised to take care of them, and that they should want for nothing, while the men would go and fight the enemy. That we need not trouble ourselves about the enemy's garrison ; that we knew nothing about them, and that our father would attend to that part of the business. You also told your red children, that you would take good care of your garrison here, which made our hearts glad.

*Listen !*—When we were last at the Rapids, it is true we gave you little assistance. It is hard to fight people, who live like ground hogs.†

Father, listen ! Our fleet has gone out ; we know they have fought ; we have heard the great guns : but know nothing of what has happened to our father, with one arm. Our ships have gone one way, and we are much astonished to see our father tying up every thing and preparing to run away the other, without letting his red children know what his intentions are. You always told us to remain here, and take care of our lands ; it made our hearts glad to hear that was your wish. Our great father, the king, is our head, and you represent him. You always told us, that you would never draw your foot off British ground ; but now, father, we see you are drawing back, and we are sorry to see our father doing so without seeing the enemy. We must compare our father's conduct to a fat animal, that carries its tail upon its back, but when affrighted, he drops it between his legs and runs off.

\* The Indians were not included in the treaty of peace in 1783.

† The Americans had fortified themselves at the Rapids.

*Listen, Father!* The Americans have not yet defeated us by land; neither are we sure that they have done so by water; we therefore, wish to remain here, and fight our enemy, if they should make their appearance. If they defeat us, we will then retreat with our father.

At the battle of the Rapids last war, the Americans certainly defeated us; and when we retreated to our father's fort at that place the gates were shut against us. We were afraid that it would now be the case; but instead of that we now see our British father preparing to march out of his garrison.

*Father!* You have got the arms and ammunition which our great father sent for his red children. If you have an idea of going away, give them to us, and you may go and welcome, for us. Our lives are in the hands of the Great Spirit. We are determined to defend our lands, and if it be his will, we wish to leave our bones upon them.

Amherstburg, Sept. 18, 1813.

*By William Henry Harrison, Maj. Gen. in the service of the U. S. commander in chief of the northwestern army, and Oliver Hazard Perry, Capt. in the Navy, and commanding the U. S. vessels on Lake Erie,*

#### A PROCLAMATION.

Whereas, by the combined operations of the land and naval forces under our command, those of the enemy within the upper district of Upper Canada have been captured or destroyed and the said district is now in the quiet possession of our troops: it becomes necessary to provide for its government:—Therefore, we do hereby proclaim and make known, that the rights and privileges of the inhabitants, and the laws and customs of the country, as they existed or were in force at the period of our arrival, shall continue to prevail. All magistrates and other civil officers are to resume the exercise of their functions; previously taking an oath to be faithful to the government of the U. States, as long as they shall be in possession of the country. The authority of all militia commissions is suspended in said district, and the officers required to give their parole, in such way as the officer, who may be appointed by the commanding Gen. to administer the government, shall direct.

The inhabitants of said district are promised protection to their persons and property, with the exception of those cases embraced by the proclamation of Gen. Proctor, of the ult. which is declared to be in force, and the powers therein assumed transferred to the officer appointed to administer the government.

Given under our hands and seals, at Sandwich, this 17th Oct. 1813.

(Signed)

WM. H. HARRISON.  
OLIVER H. PERRY.

### CHAUNCEY'S VICTORY,

*Comm. Chauncey to the Secretary of the Navy.*

U. S. S. Gen. Pike, Sackett's Harbor, Oct. 6, 1813.

SIR—I have the pleasure to inform you, that I arrived here this morning, with five of the enemy's vessels, which I fell in with and captured last evening off the Ducks. They were part of a fleet of seven sail which left York on Sunday with 234 troops on board, bound to Kingston. Of this fleet five were captured, one burnt, and one escaped; the prisoners, amounting to nearly 300, besides having upwards of 300 of our troops on board from Niagara, induced me to run into port for the purpose of landing both.

I have an additional pleasure in informing you, that amongst the captured vessels are the late U. S. schs. Julia and Growler, the others are gun vessels.

I have the honor to be, &c.

ISAAC CHAUNCEY.

*Return of the troops of H. B. M's. De Watteville regiment, captured in the above vessels.*

1 Major, 1 Capt. 3 subalterns, 1 surgeon, 10 sergeants, 4 drummers and buglers, 202 rank and file.

*Officers and marines.*—1 Lieut. 2 master's mates, 35 seamen and marines of the royal navy, and 4 sailing masters of the provincial navy.

J. GIBSON, Inspector Gen.

*Something Singular.*—About the 1st of Oct. 1813. Capt. Morgan, of the rifle corps was sent from Sackett's Harbor, to Gravelly Point, near Kingston, for the purpose of taking possession of the Point. Seeing an English sch. gun boat, he concealed his men, about 60, and sent a small

boat along the shore, which they espied, and gave chase to; our men landed, and took to the woods; the enemy came near shore, and sent a party after the fugitives, when Morgan's company rushed from their hiding place, and gave them such a reception, as either to kill or wound every one, as they appeared on deck; a few of our men waded out and took possession of the gun boat, while those on shore stood ready to fire at the first man who made his appearance. We did not lose a man in this gallant little exploit; the enemy lost 3 killed—7 wounded and 50 prisoners.

*Com. Rodgers*, sailed from Boston the 23d of April, 1813, and returned to Newport, Sept. 26.—After crossing the seas in almost every direction, cruising for some time in the British channel, and on the coast of Norway, without seeing a public vessel, of the enemy's excepting a 74, and frigate in company, which chased him three days, often so near as to give, and receive a shot, the Com. returned to port, to recruit his stores.

The President captured the following vessels on her cruise.—Brig *Kitty*, of 2 guns and 12 men, cargo of codfish; sent into France. Packet brig *Duke of Montrose*, of 12 guns, and 34 men; sent to England as a cartel, with 78 prisoners. Letter of marque brig *Maria*, of 14 guns, and 36 men; cargo of codfish, sent into France. *Schr. Falcon*, of 2 guns, and 11 men, cargo of codfish, sent into France. Brig *Jean*, burnt. Brig *Daphne*, of 2 guns and 10 men, sunk. Ship *Eliza Swan*, of 8 guns, and 49 men; cargo of blubber oil, ransomed for 5000 pounds sterling. Brig *Albert*, cargo of pitch and tar, burnt. Barque *Lion*, of 8 guns, and 33 men; cargo of blubber oil, ransomed for 3000 pounds sterling. Brig *Shannon*, cargo of rum, sugar, and molasses, sent into the United States. Brig *Fly*, of 6 guns, and 10 men; cargo of coffee, sent into the United States. His B. M. schooner *High Flyer*, of 5 guns, 5 officers, and 34 men, brought into Newport; the *High Flyer* was sold at auction for eleven thousand dollars.

*Col. Clarke to the Secretary of War.*

Camp, Chazey-Landing, Oct. 15, 1813.

It is with great pleasure I can inform you of a successful attack upon the enemy at *Massachusetts bay*, on the morn-

ing of the 12th inst. At this time I had only the riflemen with me, the artillery moving slow and the militia protecting their rear. We proceeded to the village (Masses-quoi) and arrived within 15 rods of the enemy before we were discovered. We found them drawn up under Major Powell in a manner that would have annoyed us much, had we attacked them by water, but wholly unprepared to defend themselves on the land side—they commenced a fire on the left flank, but in ten minutes after the first attack they laid down their arms and surrendered themselves prisoners of war.

Understanding that a force of 200 men under Col. Lock was marching to attack us, I despatched Capt. Finch with his company to reconnoitre them and ascertain their course. He proceeded with such promptness and ability as to surprise and capture the advanced guard, consisting of cavalry, excepting one man who escaped, and giving the information, the enemy retreated.

The prisoners were then put on board our boats and sent to Burlington. Our whole force engaged was 102—the number of prisoners taken is 101; their killed 9, and wounded 14.

I am, sir, with respect, &c.

ISAAC CLARKE.

*Massacre at fort Tensaw.*—The following particulars of the massacre at fort Tensaw, is received from Judge Toulmin, of Mobile.

‘The dreadful catastrophe which we have been sometime expecting, has at length taken place; the Indians have broken in upon us in numbers and fury unexampled. A few days before the attack, (Sept. 1) some negroes of Mr. Girt’s who lived in that part of the Creek territory which is inhabited by half breeds, had been sent up the Alabama to his plantation for corn; three of them were taken by a party of Indians. One escaped and brought down news of the approach of the Indians. The officer gave but little credit to him, but they made some further preparation to receive the enemy, and on Saturday and Sunday considerable work was done to put the fort in a state of defence. Sunday morning three negroes were sent out to attend the cattle, who soon returned with an ac-



count that they had seen 20 Indians.—Scouts were sent out to ascertain the truth of the report; they returned and declared they could see no signs of Indians. One of the negroes belonging to Mr. Randon was whipped for bringing, what they deemed, a false report.—He was sent out again on Monday, and saw a body of Indians approaching; but afraid of being whipped, he did not return to Mim's, but to Pierce's fort; but before his story could be communicated, the attack was made. The commanding officer called upon Mr. Fletcher, who owned another of the negroes, to whip him also.—He believed the boy, and resisted two or three applications; but at length they had him actually brought out for the purpose, when the Indians appeared in view of the fort. The gate was open. The Indians had to come through an open field 150 yards wide, before they could reach the fort, and yet they were within 30 steps of the fort at 11 in the morning, before they were noticed. The sentry then gave the cry of 'Indians!' when they immediately set up a most terrible war-hoop and rushed into the gate with inconceivable rapidity, and got within it before the people of the fort had an opportunity of shutting it. This decided their fate. Major Beasley was shot through the belly near the gate.

There was a large body of Indians, though they probably did not exceed 400. Our people seemed to sustain the attack with undaunted spirit. They took possession of the port holes in the outer lines of the fort and fired on the Indians who remained in the field. Some of the Indians got upon the block house at one of the corners; but after firing a good deal down upon the people they were dislodged. They succeeded however in setting fire to a house near the pickets, from which it was communicated to the kitchen and from thence to the main dwelling house. They attempted to do it by burning arrows, but failed. When the people in the fort saw the Indians retained full possession of the outer court, that the gate continued open, that their men fell very fast, and that their houses were in flames, they began to despond. Some determined to cut their way through the pickets and escape. Of the whole number of white men and half-breeds in the fort, it is supposed that not more than 25 or 30 escaped, and of these many were wounded. The rest, and almost all the wo-

men and children fell a sacrifice either to the arms of the Indians or to the flames. The battle lasted about five hours and a half.

When the buildings were burning, and the few who remained were exposed to the heavy fire of the enemy, they collected as many as they could of the guns of the deceased, and threw both them and the remaining stock of ammunition into the flames, to prevent their becoming subservient in the hands of the Indians, to the destruction of their fellow citizens. Surely this was an instance of determined resolution and benevolent foresight of which there are not many examples.

Notwithstanding the bravery of our fellow citizens, the Indians carried all before them, and murdered the armed and the helpless without discrimination. Our loss is 7 commissioned officers, and about 100 non-commissioned officers and privates, of the first regiment of Mississippi Territory volunteers. There were about 24 families of men, women, and children in the fort, of whom almost all have perished, amounting to about 160 souls. I reckon, however, among them about six families of half-breeds, and 7 Indians. There were also about 100 negroes, of whom a large proportion were killed.

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*Gens. Wilkinson and Hampton.*—These two Generals made an attempt to take Montreal about the 1st of Nov. 1813. Gen. Hampton was stationed at Plattsburgh, and was to meet Gen. Wilkinson at French Mills; having succeeded in marching through the forest 24 miles in one day, by way of Chatauguay, and entering upon the second large forest, his guides left him, which occasioned the army to halt for three or four days; in the mean time our troops attempted the enemy's breast-work, thrown up in the woods by falling trees, digging ditches, &c. and succeeded in completely driving him from his position;—a party sent round to intercept their retreat was met by one of considerable force and obliged to retire.—Here some misunderstanding took place between the two Generals on account of the place of meeting; which, finally contributed largely to overthrow the expedition. Hampton immediately ordered his men back to winter quarters. In this farce we lost 34 men killed and missing.—Gen Wilkinson

was stationed at Sackett's Harbor, and conveyed his army down the St. Lawrence in boats. The enemy about 2000, from Prescott, Kingston, &c. hung on his rear, and harassed him continually. Our army arrived at Williamsburg, the 11th of Nov. and was obliged to *face about* and attack the enemy to save their baggage. The forces were about equally strong, having from 12 to 1500 men engaged; each gave way by turns—our men getting out of ammunition, left the field of action unmolested, and passed down the straits, without seeing the enemy again. We lost in this battle 102 non-commissioned officers and privates killed, 237 officers and privates wounded, with one field piece and several stand of arms: 3 officers and 28 privates of the wounded were taken prisoners. At Cornwall Gen. Wilkison first received intelligence of the different route Gen. Hampton had taken; a council of General officers was held, and it was agreed best to abandon the expedition.

#### AMERICAN LOSS.

Killed 122—wounded 251—missing 31.

#### BRITISH LOSS.

Killed 210—wounded 248—prisoners 17.

## CHAPTER X.

### CREEK WAR.

*Gen. Jackson to Gov. Blount.*

Camp at Ten Islands, Nov. 4, 1813.

SIR—We have retaliated for the destruction of fort Mims. On the 2d inst. I detached Gen. Coffee with a part of his brigade of cavalry and mounted riflemen, to destroy Tallushatches, where a considerable force of the hostile Creeks were concentrated. The General executed this in stile. A hundred and eighty-six of the enemy were found dead on the field, and about eighty taken prisoners; forty of whom have been brought here. In the number left, there is a sufficiency but slightly wounded to take care of those who are badly.

I herein enclose Gen. Coffee's official report of the action.

I have the honor to be, &c.

ANDREW JACKSON.

*Gen. Coffee to Gen. Jackson.*

Camp at Ten Islands, Nov. 4, 1813.

SIR—I had the honor yesterday, of transmitting you a short account of an engagement that took place between a detachment of about nine hundred men from my brigade, with the enemy at Tallushatches towns; the particulars whereof I beg leave herein to recite to you. Pursuant to your order of the 2d, I detailed from my brigade of cavalry and mounted riflemen, nine hundred men and officers, and proceeded directly to the Tallushatches towns, crossing Coosey river at the Fish Dam ford, 3 or 4 miles above this place. I arrived within one and a half miles of the town (distant from this place south-east eight miles) on the morning of the 3d, at which place I divided my detachment into two columns, the right composed of the cavalry commanded by Col. Allcorn, to cross over a large creek that lay between us and the towns; the left column was of the mounted riflemen under the command of Col. Cannon, with whom I marched myself. Col. Allcorn was ordered to march up on the right and encircle one half of the town, and at the same time the left would form a half circle on the left, and unite the head of the columns in front of the town; all of which was performed as I could wish. When I arrived in half a mile of the towns, the drums of the enemy began to beat, mingled with their savage yells, preparing for action. It was after sun-rise an hour, when the action was brought on by Capt. Hammond and Lieut. Patterson's companies, who had gone on within the circle of alignment for the purpose of drawing out the enemy from their buildings, which had the most happy effects. As soon as Capt. Hammond exhibited his front in view of the town, (which stood in open woodland) and gave a few scattering shot, the enemy formed and made a violent charge on him; he gave way as they advanced, until they met our right column; which gave them a general fire and then charged; this changed the direction of charge completely; the enemy retreated, firing, until they got around and in their buildings, where they made all the resistance that an overpowered soldier could do; they fought as long as one existed, but their destruction was very soon completed; our men rushed up to the doors of the houses, and in a few minutes killed the last warrior of them; the enemy fought with sav-

age fury, and met death with all its horrors, without shrinking or complaining; not one asked to be spared, but fought so long as they could stand or sit. In consequence of their flying to their houses and mixing with the families, our men in killing the males, without intention, killed and wounded a few squaws and children, which was regretted by every officer and soldier of the detachment, but which could not be avoided. Not one of the warriors escaped to carry the news, a circumstance unknown heretofore.

JNO. COFFEE.

AMERICAN LOSS.

Killed 6—Wounded 41.

BRITISH LOSS.

Killed 186—Prisoners 84.

*Gen. Jackson to Gov. Blount.*

Camp Ten Islands, Nov. 11, 1813.

[*Extract.*] SIR—I am just returned from an excursion which I took a few days ago, and hasten to acquaint you with the result.

Late on the evening of the 7th inst. a runner arrived from the friendly party in Lashley's fort, (Taledaga) distant about 30 miles below us, with the information that the hostile Creeks, in great force, had encamped near the place, and were preparing to destroy it; and earnestly entreated that I would lose no time in affording relief. Urged by their situation as well as by a wish to meet the enemy so soon as an opportunity would offer, I determined upon commencing my march thither with all my disposable force; we encamped that night within six miles of the fort I had set out to relieve. At sun rise we came within half a mile of them, and having formed my men, I moved on in battle order. The infantry were in three lines—the militia on the left and the volunteers on the right. The cavalry formed the extreme wings: and were ordered to advance in a curve, keeping their rear connected with the advance of their infantry lines, and to enclose the enemy in a circle. The advanced guard whom I sent forward to bring on the engagement, met the attack of the enemy with great intrepidity; and having poured upon them four or five very gallant rounds, fell back as they had been previously ordered, to the main army. The enemy pursued, and the front line was now ordered to advance

and meet him ; the fire became general along the first line, and on that part of the wings which were contiguous. The enemy, unable to stand it, began to retreat ; but were met at every turn, and pursued in every direction. The right wing chased them with a most destructive fire to the mountains, a distance of about 3 miles ; the victory however was very decisive.—Wherever they ran they left traces of blood ; and it is believed that very few will return to their villages in as sound a condition as they left them. I was compelled to return to this place to protect the sick and wounded, and get my baggage.

In haste, I have the honor to be, &c.

ANDREW JACKSON.

AMERICAN LOSS.

Killed 15—wounded 15.

BRITISH LOSS.

Killed 290—wounded not known.

*Gen. White to Gen. Cocke.*

Fort-Armstrong, Nov. 24, 1813.

[*Extract.*] SIR—In mine of the 19th inst. by Major Outlaw, I promised you a detailed report, respecting, the detachment ordered by you to the Hillibee towns, in the Creek nation. In compliance with that promise, I have now the honor to state—that under your order of the 11th inst. I immediately marched with the mounted infantry, under the immediate command of Col. Burch. The cavalry under the command of Maj. Porter, and a few of the Cherokee Indians under the command of Col. Morgan, with very short rations for four days only. After destroying two villages containing 128 houses, we marched to the Hillibee town, consisting of about 20 houses, adjoining which was Grayson's farm.—Previous to our arrival at that place, I was advised that a part of the hostile Creeks were assembled there. Having marched within six or seven miles of it on the 17th, I dismounted a part of the force under my command, and sent them under the command of Col. Burch, with the Cherokees under the command of Col. Morgan, in advance, to surround the town in the night, and made the attack at day light on the 18th. Owing to the darkness of the night, the town was not reached until after day light—but so complete was the surprise, that we

succeeded in surrounding the town, and killing and capturing almost (if not entirely) the whole of the hostile Creeks assembled there, consisting of about 316, of which number about 60 warriors were killed on the spot, and the remainder made prisoners. We lost not one drop of blood in accomplishing this enterprise. We destroyed this village; and, in obedience to your orders, commenced our march for this post, which we were unable to reach until yesterday.

I have the honor to be, &c.

JAMES WHITE.

AMERICAN LOSS.

None.

BRITISH LOSS.

Killed 60—Prisoners 256.

*Gen. Floyd to Gen. Pinkney.*

Catahouche, Dec. 4, 1813.

[*Extract.*] SIR—I have the honor to communicate to you an account of the action fought on the 29th ult. between part of the force under my command, and a large body of the Creek Indians. Having received information that the hostile Indians were assembled at Autossee, I proceeded thither with the force under my command, accompanied by about 300 friendly Indians. We encamped the 28th, at night, within ten miles of our place of destination, and the next morning by half past 6, were formed for action in front of the town.

It was my intention to have completely surrounded the enemy, by *appaying* the right of my force on Canlehee creek, at the mouth of which, I was informed, the town stood; and resting the left on the river below the town;—but to our surprise, as day dawned, we perceived a second town 500 yards below Autossee. The plan of attack was immediately changed; five companies immediately surrounded the lower town, and the remainder attacked the upper. The battle now became general. The Indians presented themselves at every point, and fought with the desperate bravery of real fanatics; but the well directed fire of the artillery, with the charged bayonet, soon forced them to take shelter in their houses, and many, it is believed, secured themselves in caves previously prepared in the

high bank of the river. The friendly Indians were to cross the river above the town, for the purpose of taking such as might attempt to escape; but owing to the coldness of the water, they declined, after making the attempt: they crossed the creek, thronged to our flanks, and fought with an intrepidity worthy of any troops. At 9 o'clock, the enemy was completely driven from the plain, and the houses of both towns wrapped in flames, to the number of about 400. It is difficult to determine the strength of the enemy, but the chiefs say there were assembled the warriors of eight towns, for the defence of Autossee, it being their beloved ground, on which, they proclaimed, no white man could approach without inevitable destruction.

I have the honor to be, &c.

JOHN FLOYD.

AMERICAN LOSS.

Killed 11—wounded 54.

BRITISH LOSS.

Killed 200—wounded not known.

*Gen. Claiborne to the Secretary of War.*

Fort Claiborne, Jan. 1st, 1814.

[*Extract*] SIR—On the 13th ult. I marched a detachment from this post with a view of destroying the towns of the inimical Creek Indians, on the Alabama, above the mouth of the Cahaba. After having marched about eighty miles, from the best information I could obtain, I was within thirty miles of a town newly erected on a ground called Holy, occupied by a large body of the enemy, under the command of Witherford, the half breed chief. On the morning of the 22d, the troops resumed their line of march, chiefly through woods without a track to guide them. When near the town on the morning of the 23d my disposition for attack was made.—The troops advanced in three columns. With the centre column I advanced myself, ordering Lester's guards and Well's troop of dragoons to act as a corps of reserve. About noon the right column composed of the twelve month's volunteers, commanded by Col. Joseph Carson, came in view of the town called Eccanachaca (or Holy Ground) and was immediately vigorously attacked by the enemy, who were apprized of our approach, and had chosen their field of action.



Before the centre, commanded by Lieut. Col. Russell, with a part of the 3d regiment of U. S. infantry and mounted militia riflemen, or the left column, which was composed of militia and a party of Choctaws under Pushamuttaha, commanded by Maj. Smoot, of militia, who were ordered to charge, could come generally into action, the enemy were repulsed and were flying in all directions, and many of them casting away their arms.

A pursuit was immediately ordered but from the nature of the country, nothing was effected. The town was nearly surrounded by swamps and deep ravines, which rendered our approach difficult, and facilitated the escape of the enemy. In the town we found a large quantity of provisions and immense property of various kinds, which the enemy, flying precipitately, were obliged to leave behind, and which, together with two hundred houses were destroyed.

The next day was occupied in destroying a town consisting of sixty houses, eight miles higher up the river, and in taking and destroying the enemy's boats. At the town last destroyed was killed three Indians of some distinction.

I have the honor to be, &c.

**FERD. L. CLAIBORNE.**

**AMERICAN LOSS.**

Killed 1—wounded 6.

**BRITISH LOSS.**

Killed 33—wounded not known.

*Gen. Floyd to Gen. Pinkney.*

Camp Defiance, Jan. 27, 1814.

[*Extract.*] SIR—I have the honor to acquaint your excellency that this morning at 20 minutes past 5 o'clock, a very large body of hostile Indians made a desperate attack upon the army under my command. They stole upon the centinels, fired on them, and with great impetuosity rushed upon our line: in 20 minutes the action became general, and our front, right, and left flanks were closely pressed, but the brave and gallant conduct of the field and line officers, and the firmness of the men, repelled them at every point.

The steady firmness, and incessant fire of Capt. Thomas' artillery, and Capt. Adams' riflemen, preserved our front lines. The enemy rushed within 30 yards of the artillery, and Capt. Brodnax, who commanded one of the piquet guards, maintained his post with great bravery, until the enemy gained his rear, and then cut his way through them to the army. As soon as it became light enough to distinguish objects, I ordered Majs. Watson's and Freeman's battallions to wheel up at right angles with Majors Booth's and Cleveland's battallions, who formed the right wing, to prepare for the charge. The order for the charge was promptly obeyed, and the enemy fled in every direction before the bayonet. From the effusion of blood, and the number of head dresses and war clubs found in various directions, their loss must have been considerable, independent of their wounded.

I have the honor to be, &c.

JOHN FLOYD.

AMERICAN LOSS.

Killed 17—wounded 132.

BRITISH LOSS.

Killed 52—wounded not known.

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*Gen. Jackson to Gen. Pinkney.*

Fort Strother, Jan. 29, 1814.

[*Extract*] SIR—I had ordered 800 Tennessee volunteers to join me on the 10th inst. but they did not arrive until the 14th; the next day they, with the force before with me, 130, marched across the river to graze our horses. The motives which influenced me to penetrate further into the enemy's country were many and urgent. I received a letter from Col. Snodgrass, informing me that an attack was soon to be made on fort Armstrong, by 900 of the enemy, collected from New Youka, Oakfuskee, and Ufauley towns, and were concentrated in the bend of the Tallapoossee. If I could have hesitated before, I could now hesitate no longer. On the 19th I encamped at Entochapco; here I soon perceived how little knowledge my spies had of the country, of the situation of the enemy, or of the distance we were from them, and the insubordination of the new troops, and want of skill in their officers, became more apparent; but my wishes and my duty remained united.

We arrived within a few miles of our destination the 21st, and encamped on a high piece of ground; about 10 o'clock at night our picket fired upon a few of the enemy, and killed one. At 11 o'clock our spies returned with information that a large body of the enemy were encamped about three miles distant. Being prepared at all points, nothing remained to be done, but await their approach, or be in readiness to attack them by day light. The enemy attacked our left flank, about 6 o'clock in the morning, which was vigorously met by our troops; the attack lasted half an hour. So soon as it became light enough to pursue the enemy, the brave Gen. Coffee led on our troops to the charge; the enemy was completely routed at every point, and chased two miles with great slaughter. Gen. Coffee was now sent with 400 troops to reconnoitre the enemy's camp, who returned after satisfying himself of their strength. In half an hour a considerable force of the enemy made its appearance on my right flank, and attacked us with great spirit. Gen. Coffee requested 200 men of me for the purpose of turning their left flank, which was granted; but by some mistake, not observed at the time, only 54 followed him, who were chiefly old volunteer officers. With this little band of heroes, the Gen. attacked it, and drove them from the ground; at the same time 200 friendly Indians were ordered to fall upon their right, and co-operate with the General. This order was soon obeyed, and in its execution, what I expected, was realized. The enemy intended the attack on my right as a feint, and soon attacked my left with their main force, which they hoped to find weakened and in disorder—they were disappointed—the whole line met the attack with firmness and astonishing intrepidity, and having given a few fires charged with great vigor; the effect was immediate and inevitable. The enemy fled with precipitation, and were pursued to a considerable distance with great slaughter. In the mean time Gen. Coffee was contending with a superior force, the Indians having joined my left. Jim Fife, with 100 friendly Indians, I forthwith ordered to his assistance; he no sooner reached the spot than the General made a charge, and the enemy were routed and driven three miles, with the loss of 45 slain. I was determined to commence a return march the next morning,

as my provisions were nearly consumed. I considered it not necessary to pursue them any farther, as the object of a general engagement would be more certainly attained by commencing a return, which, to them, would have the appearance of a retreat, and would inspire them with new courage to pursue me; and not prudent because of my wounded, the starving condition of my horses, they not having neither eat corn nor cane for two days, and of the scarcity of my provisions—influenced by these considerations, I commenced my return march on the 23d and reached Euotachopco that night. I took a different route from the one we came in, to avoid a deep defile between two mountains. Having a deep creek to pass I issued a general order pointing out the manner in which the men should be formed, in case of an attack. The front guard and the wounded had crossed, when an alarm gun was heard in the rear. I heard it without surprise, and even with pleasure, as I calculated on the firmness of my troops, from the manner in which I had seen them act on the 22d. Having chosen the ground, I expected to have entirely cut off the enemy, by wheeling the right and left columns on their pivots, recrossing the creek above and below, and falling upon their flanks and rear. But to my astonishment, after a few guns had been fired, I beheld the right and left columns of the rear guard give way. This shameful retreat was disastrous in the extreme; drawing with it the greater part of the centre column, and producing consternation and dismay in the whole army. There was left to oppose the enemy a few of the rear guard, the artillery, and Capt. Russell's company of spies; they realized and exceeded my best expectations. Never was there more bravery displayed than on this occasion. Amidst the most galling fire from the enemy, more than ten times their number, they ascended the hill. In the hurry of the moment, in separating the gun from the limbers, the rammer and picker were left tied to it. No sooner was this discovered than Craven Jackson, and Constantine Perkins, gunners, found means to replace them; Jackson amidst the galling fire of the enemy, pulled out the ramrod of his musket, used it as a picker, primed with a cartridge, and fired the cannon. Perkins having taken off his bayonet, used his gun as a rammer, and Jackson using his former plan, again dis-

charged her. Lieut. Armstrong soon fell, and exclaimed as he lay, '*my brave fellows, some of you may fall, but you must save the cannon.*' At this time a number crossed the creek, and entered into the chase, when they were pursued more than two miles, fleeing in consternation, throwing away their packs, and left 26 of their warriors dead on the field. This last defeat was decisive.

I am, sir, with sentiments of respect, &c.

ANDREW JACKSON,

AMERICAN LOSS.

Killed 20—wounded 75.

BRITISH LOSS.

Killed 235—wounded, not known.

*Gen. Jackson to Governor Blount.*

Fort Williams, March 31, 1814.

[*Extract.*] SIR—I have just returned from the expedition which I advised you in my last I was about to make to the Tallapoosee; and hasten to acquaint you with the good fortune which attended it.

I took up the line of march from this place on the morning of the 21st inst. and having opened a passage of 52 1-2 miles over the ridges which divide the waters of the two rivers, I reached the bend of the Tallapoosee, three miles beyond where I had the engagement of the 22d of January, and at the southern extremity of New-Youka, on the morning of the 27th. This bend resembles in its curvature that of a horse shoe, and is thence called by that name among the whites. Nature furnishes few situations so eligible for defence, and barbarians have never rendered one more secure by art. Across the neck of the bend which leads into it from the north, they had erected a breast-work of the greatest compactness and strength, from five to eight feet high, and prepared with double port holes very artfully arranged. The figure of this wall manifested no less skill in the projection of it, than its construction; an army could not approach it without being exposed to a double and cross fire from the enemy, who lay in perfect security behind it.

In this bend the warriors from Oakfusky, Oakehagu, New-Youka, Hillibee, the Fish Ponds, and Eufauta towns, apprised of our approach, had collected their strength.

Their exact number cannot be ascertained ; but it is said by the prisoners we have taken, to have been a thousand.

Early on the morning of the 27th, having encamped the preceding night at the distance of five miles from them, I detailed Gen. Coffee with the mounted men, and nearly the whole of the Indian force, to cross the river at a ford about 3 miles below their encampment, and to surround the bend in such a manner that none of them should escape by attempting to cross the river. With the remainder of the forces I proceeded slowly and in order, along the point of land which led to the front of their breast-work ; having planted my cannon (one six and one three pounder) on an eminence at the distance of 150 or 200 yards from it, I opened a brisk fire, playing upon the enemy with the muskets and rifles whenever they shewed themselves beyond it ; this was kept up, with short interruptions, for about two hours, when a part of the Indian force, and Capt. Russell's and Lieut. Bean's companies of spies, who had accompanied Gen. Coffee, crossed over in canoes to the extremity of the bend, and set fire to the buildings which were there situated ; they then advanced with great gallantry towards the breast-work, and commenced a spirited fire upon the enemy behind it.

Finding that this force, notwithstanding the bravery they displayed, was wholly insufficient to dislodge them, and that Gen. Coffee had entirely secured the opposite bank of the river, I now determined to take their works by storm. The men by whom this was to be effected had been waiting with impatience to receive their order, and hailed it with acclamation.

The spirit which animated them was a sure augury of the success which was to follow. The history of warfare furnishes few instances of a more brilliant attack—the regulars led on by their intrepid and skillful commander, Col. Williams, and by the gallant Major Montgomery, soon gained possession of the works in the midst of a most tremendous fire from behind them, and the militia of the venerable Gen. Doherty's brigade, accompanied them in the charge, with a vivacity and firmness that would have done honor to regulars. The fighting continued with some severity about five hours.

According to my original purpose, I commenced my return march for fort Williams to-day, and shall, if I find supplies there, hasten to the Hickory ground. The power of the Creeks is, I think, for ever broken.

I have the honor to be, &c.

ANDREW JACKSON.

AMERICAN LOSS.

Killed 26—Wounded 106.

BRITISH LOSS.

Killed 823—Prisoners 250.

## CHAPTER XI.

### CAPT. PORTER'S CRUIZE.

*Capt. Porter to the Secretary of the Navy.*

U. S. F. Essex, Pacific Ocean, July 2, 1813.

SIR—On the 23d March last, I sailed, shaping my course to the northward, and on the 26th of the same month, fell in with the Peruvian corsair ship *Nereyda*, mounting 15 guns: she had a few days before, captured two American whale ships, the crews of which (amounting in number to 24 men) were then detained prisoners on board her; and they assign no other motive for the capture, than that they were the allies of G. Britain, and as such, should capture all American vessels they could fall in with; therefore, to prevent in future such vexatious proceedings, I threw all her armament into the sea, liberated the Americans, and dismissed the *Nereyda*.

I then proceeded with all possible dispatch for Lima, to intercept one of the detained vessels, which had parted with the *Nereyda* only three days before, and was so fortunate as to arrive there and recapture her on the 5th April, at the moment she was entering the port. This vessel (the ship *Barclay*, Capt. Gideon Randall, of New Bedford,) I took under my protection, and have had her with me ever since.

From Lima, I proceeded for Galapagos Island where I captured the following British Letters of marque ships.

Montezuma, 2 guns, 21 men—Policy, 10 guns, 26 men—Georgiana, 6 guns, 25 men—Atlantic, 8 guns, 24 men—and Greenwich, 10 guns, 25 men.

The Georgiana, being reputed a very fast sailer, and apparently well calculated for a cruizer, I mounted 16 guns on her and gave the command of her to that excellent officer, Lieut. John Downes, with a complement of 42 men.

Lieut. Downes joined me at Tumbes, near Guiaquil, on the coast of Peru, on the 24th June, after capturing three Letter of Marque ships.

Hector, 11 guns 25 men—Catherine, 8 guns, 29 men—Rose, 8 guns, 21 men.

I found, by experience, that the Georgiana did not deserve the character given of her for sailing. I therefore shipped her officers and crew to the Atlantic, and mounted on her 20 guns, with a complement of 60 men, and appointed midshipman Rich. Dashiell, acting sailing master, on board her; to this vessel I gave the name of Essex Junior. I also fitted up the ship Greenwich as a store ship, and mounted on her 20 guns, placing her under the command of Lieut. Gamble, of the marines. On board her I have put all the provisions and stores of my other prizes, except a supply of three and a half months for each, and have by this means secured myself a full supply of every necessary article for seven months. I had hoped to dispose of my other prizes at Guiaquil: the Gova, in Peru, however, are excessively alarmed at my appearance on the coast, as my fleet now amounts to nine sail of vessels, all formidable in their appearance, and they would if they dare, treat us with a hostility little short of declared enemies.

Indeed, sir, when I compare my present situation with what it was when I doubled Cape Horn, I cannot but esteem myself fortunate in an extraordinary degree. There my ship was shattered by tempestuous weather, and destitute of every thing; my officers and crew half starved, naked, and worn out with fatigue. Now, sir, my ship is in prime order, abundantly supplied with every thing necessary for her. I have a noble ship for a consort of 20 guns, and well manned, a store ship of 20 guns, and well supplied with the best of every thing that we may want, and prizes which would be worth in England two millions of dollars: and what renders the comparison more pleasing, the enemy has furnished all.

The times of my best men have expired about their attachment to the ship, and their zeal for the service we are



engaged on, prevent all complaints on that account. It is not probable that you will hear of me for several months to come, unless some disaster happens; but I beg leave to assure you, sir, that I shall not be idle.

I have the honor to be, &c.

D. PORTER.

*Loss of fort Niagara.*—Gen. McClure, about the first of Dec. 1813, abandoned fort George, in Canada, and burnt the town of Newark, adjoining it, as a measure to prevent the enemy's occupying fort George after he had left it. On the 18th of the same month, the British crossed to Lewistown, in considerable force, and burnt it to the ground; when their Allies were set at liberty, and indulged freely in their brutal excesses, in murdering our defenceless citizens; they then attacked and burnt Manchester, and Tuscarora, the latter an Indian town. In the mean time the British attacked fort Niagara, and took it by storm, at 4 o'clock on the morning of the 19th; the gate being open, they surprised the picket, and entered the fort before they were discovered, when a scene of terrible slaughter took place. They were not opposed by any, except a few wounded men in the southeast block house, and a few of the guard; but, strange as it may appear, the enemy bayoneted about 80 of our men, chiefly, after they had cried for quarters. The preceding facts were sworn to before a justice, by Robert Lee, a gentleman of Lewistown, who was in the fort when taken.

*Burning of Buffalo and Black Rock.*—Soon after the storming of fort Niagara, and the burning of Lewistown, &c. Maj. Gen. Hall repaired to the frontiers, for the purpose of collecting a force, (militia) sufficient to defend Buffalo and Black Rock. From the 22d Dec. to the 29th, Gen. Hall had collected about 2000 troops, militia and ex-empt, but was reduced to 1200 by desertions, on the morning of the battle of the 30th. In the evening of the 29th (says Gen. Hall, in a letter of the 30th Dec. to Gov. Tompkins,) at about 12 o'clock, I received information that one of our patrols had been fired on, one mile below Black Rock. The enemy advanced and took possession of the battery near Conjokates creek. The troops were immediately formed, and stood by their arms. I was not yet

certain what point the enemy meant to attack. Being anxious to anticipate the enemy's landing, and meet him at the water's edge, I gave orders for the troops at the Rock, to attack the enemy, and dislodge them from the battery, and to drive them to their boats. The attempt failed through the confusion into which the militia were thrown, on the first fire of the enemy, and the darkness of the night. I then ordered the corps under Major Adams, and Col. Chapin to make the attack. These three detachments were thrown into confusion, and were of no service afterwards. As the day dawned, I discovered a detachment of the enemy's boats crossing to our shore, and bending their course towards the rear of Gen. Porter's house. I immediately ordered Col. Blakeslie to attack the enemy's force at the water's edge. I now became satisfied as to the disposition and object of the enemy. Their left wing composed of 1000 regulars, militia, and Indians, had been landed below the creek, under cover of the night. With their centre, consisting of 400 royal Scots, commanded by Col. Gordon, the battle was commenced. Their right which was purposely weak, was landed near the main battery, merely to divert our force, the whole under the immediate command of Lieut. Gen. Drummond, and led on by Maj. Gen. Riall. They were attacked by four field pieces in the battery and at the water's edge; at the same time the battery from the other side of the river opened a heavy fire upon us, of shells, hot shot, and ball. The whole force now opposed to the enemy was at most, not over 600 men, the remainder having fled, in spite of the exertions of their officers. These few, but brave men, disputed every inch of ground, with the steady coolness of veterans, at the expence of many valuable lives. The defection of the militia, and the reserve, and loss of the services of the cavalry, by reason of the ground on which they must act, left the forces engaged exposed to the enemy's fire in front and flank. After standing their ground for half an hour, opposed by an overwhelming force, and nearly surrounded, a retreat became necessary to their safety, and was accordingly ordered. I then made every effort to rally the troops, with a view to attack their columns as they entered the village of Buffalo; but all in vain. Deserted by my principal force, I fell back that night to Eleyen Mile creek, and was forced to leave

the flourishing villages of Black Rock and Buffalo a prey to the enemy, which they have pillaged and laid in ashes. They have gained but little plunder from the public stores; the chief loss has fallen upon individuals.'

Our loss was 50 killed—40 wounded—and 69 missing, and one cannon. 'I regret to add, (says Gen. Hall, to Gov. Tompkins in his letter of Jan. 13) that on repossessing the battle ground, we collected 50 dead bodies, yet unburied, of the battle of the 30th ult. The enemy admit their loss to be, in killed and wounded, 300.'

*Col. Butler to Gen. Harrison.*

Detroit, March 7, 1814.

[Extract] SIR—By Lieut. Shannon, of the 27th regiment U. S. infantry, I have the honor to inform you, that a detachment of the troops under my command, led by Capt. Holmes, of the 24th regiment U. S. infantry, have obtained a signal victory over the enemy.

The affair took place on the 4th inst. about 100 miles from this place, on the river De Trench. Our force consisted of no more than 160 rangers and mounted infantry. The enemy, had from their own acknowledgment, 236. The fine light company of the royal Scots is totally destroyed; they led the attack most gallantly, and their commander fell within ten paces of our front line. The light company of the 89th has also suffered severely; one officer of that company fell, one is a prisoner, and another is said to be badly wounded. In killed, and wounded, and prisoners, the enemy lost about 80—whilst on our part there were but four killed and four wounded. This great disparity in the loss on each side is to be attributed to the very judicious position occupied by Capt. Holmes, who compelled the enemy to attack him at great disadvantage; this, even more than his gallantry, merits the laurel.

We took one hundred head of cattle also from the enemy, intended for Long Point or Burlington.

H. BUTLER.

### WARRINGTON'S VICTORY.

*Capt. Warrington to the Secretary of the Navy.*

U. S. sloop Peacock, at sea, April 20, 1814.

[Extract] SIR—I have the honor to inform you, that we have this morning captured, after an action of 42 min-

utes, his majesty's brig *Epervier*, rating and mounting 18 32 pound carronades, with 128 men, of whom 11 were killed and 15 wounded. Not a man in the *Peacock* was killed, and only two wounded, neither dangerously so. The fate of the *Epervier* would have been determined in much less time, but for the circumstance of our fore-yard being totally disabled by two round shot in the starboard quarter from her first broadside, which entirely deprived us of the use of our fore and fore-top-sails, and compelled us to keep the ship large throughout the remainder of the action.

This, with a few top-mast and top-gallant back stays cut away, a few shot through our sails, is the only injury the *Peacock* has sustained. Not a round shot touched our hull; our masts and spars are as sound as ever. When the enemy struck, he had five feet water in his hold, his main-top-mast was over the side, his main boom shot away, his fore-mast cut nearly in two and tottering, his fore-rigging and stays shot away, his bowsprit badly wounded, and 45 shot holes in his hull, 20 of which were within a foot of his water line. By great exertion, we got her in sailing order just as the dark came on.

In 15 minutes after the enemy struck, the *Peacock* was ready for another action, in every respect but her fore-yard, which was sent down, finished, and had the fore-sail set again in 45 minutes—such was the spirit and activity of our gallant crew. The *Epervier* had under her convoy an English hermaphrodite brig, a Russian and a Spanish ship, which all hauled their wind and stood to the E. N. E. I had determined upon pursuing the former, but found that it would not answer to leave our prize in her then crippled state; and the more particularly so, as we found she had \$120,000 in specie, which we soon transferred to this sloop. Every officer, seaman, and marine did his duty, which is the highest compliment I can pay them.

I have the honor to be, &c.

L. WARRINGTON.

AMERICAN LOSS.

Killed none—wounded 2.

BRITISH LOSS.

Killed 11—wounded 15—prisoners 117.

*Lieut. Woolsey to Com. Chauncey.*

Sackett's Harbor, June 1, 1814.

[*Extract.*] SIR—I had the honor to receive per express your communication of the 27th, vesting in me discretionary powers. I immediately despatched Mr. Dixon in the long gig to reconnoitre the coast, and went with my officers to the falls, to run the boats down over the rapids. At sun set we arrived at Oswego with the boats (19 in number) loaded in all with 21 long 32 pounders, 10 24 pounders, 3 42 do. (carronades), and 10 cables, besides some light articles, and distributed in the bateaux a guard of about 150 riflemen, under command of Major Appling. Mr. Dixon having returned with a report of the coast being clear, we set off at dark and arrived at Big Salmon river about sunrise on the 29th, with the loss of one boat having on board two 24 pounders and one cable.

At Big Salmon we met the Oneidas, whom I had despatched the day previous, under the command of Lieut. Hill, of the rifle regiment. As soon as they had taken up their line of march along the shore to Big Sandy Creek, I started with all the boats and arrived at our place of destination about two miles up the Creek. At 2 P. M. on the 30th, I received your letter of the 29th, 6 P. M. per express, and agreeably to the order contained therein, sent Lieut. Pierce to look out as far as Stony Point: about 6 he returned, having been pursued by a gun boat and three barges. The best possible disposition was made of the riflemen and Indians, about half a mile below our boats. About 8 A. M. a cannonading at long shot was commenced by the enemy, and believing (as I did) that no attempt would be made to land with their small force, I ordered Lieut. Pierce to proceed in erecting sheers, and making preparations to unload the boats. About 9 o'clock Capt. Harris with a squadron of dragoons, and Capt. Melvin with a company of light artillery and 2 6-pounders, arrived. Capt. Harris the commanding officer, agreed with me that this reinforcement should halt, as the troops best calculated for a bush fight were already on the ground, where they could act to the greatest advantage, and that the enemy seeing a large reinforcement arrive would most probably retreat. About 10, the enemy having landed and pushed up the creek with four gun boats, three cutters, and one gig—the riflemen

under that excellent officer, Major Appling, arose from their concealment, and after a smart fire of about 10 minutes, succeeded in capturing all the boats and their crews, without one having escaped. At about 5 P. M. buried, with the honors of war, Mr. Hoare (a British midshipman) killed in the action.

The enemy's loss in this affair, is 4 gun boats, one carrying 124 pounder, and one 68 lb. carronade; each of the others carrying two heavy guns; two cutters and 1 gig.

I have the honor to be, &c.

M. T. WOOLSEY.

#### AMERICAN LOSS.

Killed none—wounded 5.

#### BRITISH LOSS.

Killed 14—wounded 28—prisoners 169.

#### LOSS OF THE ESSEX.

*Capt. Porter to the Secretary of the Navy.*

Essex Junior, at sea, July 3, 1814.

[Extract.] SIR—I sailed from the Delaware, Oct. 27, 1812, and repaired to Port Praya, Noronho, and Cape Frio. On my passage from Port Praya to Noronho, I captured his B. M. packet Norton; after taking out 11,000 pounds sterling in specie, sent her for America. Off Cape Frio I captured a schooner with hides and tallow, and sent her into Porto Rico. I proceeded to St. Catherine's to supply my ship with provisions. From St. Catherine's I shaped my course for the Pacific, and arrived at Valparaiso March 14, 1813. Of the success we met with in our next cruise you have been informed in my letter of July 2, 1813. I received information that the Phoebe frigate, and Racoon and Cherub sloops of war, were in pursuit of me. My ship, after being near a year at sea, required some repairs to put her in a state to meet them; which I determined to do, and repaired, with my prizes, to the Island of Noa-heevali, or *Madison* Island, where I completely overhauled my ship, and took on board, from the prizes, provisions and stores for upwards of four months, and sailed for the coast of Chili, Dec. 12, 1813. Previous to sailing I secured the Seringapatam, Greenwich, and Sir A. Hammond, under the guns of a battery which I had erected for their protection; (after taking possession of this fine Island, for

the United States, and establishing the most friendly intercourse with its natives) I left them under the care of Lieut. Gamble and 21 men, with orders to repair to Valparaiso, after a certain period. Believing Com. Hillyer would be most likely to appear at Valparaiso first, I therefore determined to cruise about that place. Agreeably to my expectations the Com. arrived at that place; but, contrary to my wishes, he brought with him the Cherub sloop of war, mounting 28 guns, and a complement of 180 men. The force of the Phoebe, the Commodore's flag ship, was 30 long 18 pounders, 16 32 lb. carronades, and 7 3 pounders in her tops, in all 53 guns, and a crew of 320 men; making a force of 81 guns and 500 men. The force of the Essex was 40 32 lb. carronades and 6 long twelves, and her crew had been reduced by manning out her prizes to 255 men. They provisioned, and went off the port for the purpose of blockading me. I often endeavored to provoke a challenge, and bring the Phoebe alone to action with the Essex, but without success. There were no hopes of any advantages to my country, from a longer stay in port; I therefore determined to put to sea the first opportunity. The 28th of march, the day after this resolution was formed, the wind blew fresh from the south, when I parted my larboard cable and dragged directly out to sea. Not a moment was to be lost in getting sail on the ship. On rounding the point a heavy squall struck us, and carried away our main top-mast, precipitating four men into the sea, who drowned. Both ships now gave chase; seeing I could not recover my former anchorage in my disabled state, I ran close into a small bay, and anchored within pistol shot of the shore, under cover of two batteries off Valparaiso, which being neutral were bound to protect me; at least till I had repaired damages. I had not succeeded in repairing or getting a spring on my cable when the enemy at 54 minutes past 3, P. M. made his attack. The Phoebe placing herself under my stern, and the Cherub on my starboard bow; but finding that situation a hot one, she bore up and ran under my stern also, where both ships kept up a raking fire. I had got 3 long 12 pounders out of the stern ports, which were worked with so much bravery, that in half an hour we so disabled both as to compel them to haul off to repair damages. My ship had received many

injuries, and several had been killed and wounded, but all appeared determined to defend the ship to the last, and to die in preference to a shameful surrender. The enemy soon repaired his damages, and made a fresh attack with both ships on my starboard quarter, out of reach of my carronades, and where my stern guns could not be brought to bear—he there kept up a galling fire which it was out of my power to return. The only rope not cut was the flying gib halliards, and that being the only sail I could set, I caused it to be hoisted, my cables to be cut, and run down on both ships, with an intention of laying the *Phoebe* on board.

The firing on both sides was now tremendous; I had let fall my fore-topsail and foresail, but the want of tacks and sheets rendered them useless, yet were we enabled for a short time to close with the enemy, although our decks were strewed with the dead, our cockpit filled with wounded, our ship had been several times on fire, and a perfect wreck, we were still encouraged to hope to save her, as the *Cherub* in her crippled state, had been compelled to haul off. The *Phoebe*, from our disabled state, was enabled to edge off, and choose her distance, for her long guns, and kept up such a tremendous fire, as to mow down my brave companions by the dozen. I now gave up all hopes of closing with him, and determined to run on shore, land my men, and destroy the vessel. We had approached the shore within musket shot, when in an instant the wind shifted, and payed our head down on the *Phoebe*.—My ship was now totally unmanageable; yet, as her head was toward the enemy, and he to the leeward of me, I still hoped to be able to board him. Finding the enemy was determined to avoid being boarded, and my ship alarmingly on fire, and the slaughter on board having become most horrible, I directed a hawser to be bent to the sheet anchor, and the bow anchor to be cut, to bring her head round: this succeeded, and we again got our guns to bear; but the hawser soon gave way, and left us a perfect wreck. The flames were bursting up the hatchway, and no hopes were entertained of saving the ship, as a quantity of powder had already exploded, and the fire had nearly reached the magazine, which served to increase the horrors of our situation. I therefore directed those who could swim, to



jump overboard, and gain the shore. Some reached it—some were taken by the enemy—and some perished. We who remained, turned our attention wholly to extinguishing the flames; when we had succeeded, went again to our guns, where the firing was kept up for some minutes. Almost every gun having been dismounted, and the impossibility of making further attempts to capture our antagonists, and the entreaties of the remainder of my brave crew, to surrender to save the wounded, I sent for the officers of divisions to consult them, but what was my surprise, to find only acting Lieut. M'Knight remaining. I was informed that the cockpit, steerage, wardroom, and birth-deck would contain no more wounded; and that the ship was filling with water very fast. The enemy were enabled from the smoothness of the water, to take aim at us as a target—in fine, I saw no hopes of saving my vessel, or making my escape, and at 20 minutes past 6 P. M. gave the painful order to strike the colors. Seventy-five men, including officers, were all that remained of my crew when the colors were struck, capable of doing duty. I directed an opposite gun fired to shew we intended no further resistance; but they did not desist; a number of men were killed by my side and in other parts of the ship. I now believed he intended to show us no quarter, and thought it would be as well to die with my flag flying as struck, and was on the point of again hoisting it, when 10 minutes after hauling the colors down, he ceased firing.

I must, in justification of myself and crew observe, that with our *six* twelve pounders only, we fought this action, our carronades being almost useless.

Our loss is 58 killed—65 wounded—and 31 missing—total 154.

I have the honor to be, &c.

DAVID PORTER.

*Col. Mitchell to Gen. Brown.*

H. Q. Oswego, May 8, 1814.

[*Extract*] SIR—I informed you of my arrival at fort Oswego on the 30th ult. This post being but occasionally and not recently occupied by regular troops, was in a bad state of defence. Of cannon we had but five old guns, three of which had lost their trunnions. What could be done in the way of repair was effected. On the 5th inst.

the British naval force consisting of four large ships, three brigs and a number of gun and other boats were descried at reveille beating about seven miles from the fort. Information was immediately given to Capt. Woolsey of the navy, (who was at Oswego village) and to the neighboring militia. It being doubtful on which side of the river the enemy would attempt to land, and my force (290 effectives) being too small to bear division, I ordered the tents in store to be pitched on the village side, while I occupied the other with my whole force. It is probable that this artifice had its effect, and determined the enemy to attack where, from appearances, they expected the least opposition. About 1 o'clock the fleet approached. Fifteen boats, large and crowded with troops, at a given signal, moved slowly to the shore. These were preceded by gunboats sent to rake the woods and cover the landing, while the larger vessels opened a fire upon the fort. Capt. Boyle and Lieut. Legate, (so soon as the debarking boats got within range of our shot) opened upon them a very successful fire from the shore battery, and compelled them twice to retire. They at length returned to the ships and the whole stood off from the shore for better anchorage. One of the enemy's boats which had been deserted, was taken up by us, and some others by the militia. The first mentioned was sixty feet long, carried thirty-six oars and three sails, and could accommodate 150 men. She had received a ball through her bow, and was nearly filled with water.

At day break on the 6th the fleet appeared bearing up under easy sail. They took a position directly against the fort and batteries, and for three hours kept up a heavy fire of grape, &c. Finding that the enemy had effected a landing, I withdrew my small disposable force into the rear of the fort, and with two companies met their advancing columns, while the other companies engaged the flanks of the enemy. Lieut. Pierce of the navy and some seamen, joined in the attack and fought with their characteristic bravery. We maintained our ground about thirty minutes, and as long as consisted with my further duty of defending the public stores deposited at the falls, which no doubt formed the principal object of the expedition on the part of the enemy. Nor was this movement made precipi-

tately. I halted within 400 yards of the fort. Capt. Romaine's company formed the rear guard, and, remaining with it, I marched to this place in good order, destroying the bridges in my rear. The enemy landed six hundred of De Watteville's regiment, six hundred marines, two companies of the Glengary corps, and three hundred and fifty seamen.

Gen. Drummond and Com. Yeo were the land and naval commanders. They burned the old barracks and evacuated the fort about 3 o'clock in the morning of the 7th.

Our loss in killed is six; in wounded 38—and in missing, 25. The enemy lost 70 killed, and 165 wounded, drowned, and prisoners.

*Gen. Brown to the Secretary of War.*

H. Q. Chippewa, July 7, 1814.

[*Extract.*] SIR—On the 2d inst. I issued orders for crossing the Niagara, and made arrangements deemed necessary for securing the garrison of fort Erie—the 3d, that post surrendered, at 5 P. M. Our loss in this affair, was 4 wounded.—137 prisoners, including 1 Major, 1 Capt. 3 Lieuts. and 1 ensign, with the ammunition and cannon belonging to the post were surrendered to us."

On the morning of the 4th, Brig. Gen. Scott, was ordered to advance towards Chippewa, and be governed by circumstances; taking care to secure a good military position for the night; after some skirmishing, he selected this plain with the eye of a soldier, his right resting on the river, and a ravine being in front. At 11 at night I joined him, with the reserve under Brig. Gen. Ripley, with our field and battering train, and corps of artillery. The next morning Gen. Porter arrived with a part of the Pennsylvania and N. York volunteers, and some Indians. Early in the morning of the 5th, the enemy commenced a petty war upon our pickets, and, as he was indulged, his presumption increased,

At 4 P. M. agreeably to my orders, Gen. Porter advanced from the rear of our camp, taking the woods in order to keep out of view of the enemy, in hopes of surrounding their scouting parties. In half an hour Porter's command met the light parties and drove them to camp; and near Chippewa, met their whole column in order of battle. I

immediately ordered Gen. Scott to advance with his brigade, and Towson's artillery, who met them upon the high plain in front of our camp. He advanced in the most officerlike style, and in a few minutes was in close action, with a superior force of British regulars. Gen. Porter's command had given way, and fled in every direction, which caused Scott's left flank to be greatly exposed. Capt. Harris, with his dragoons, was directed to stop the the fugitives, behind the ravine fronting our camp; Gen. Ripley was directed to pass to the left and skirt the woods, so as to keep out of view, and fall upon the rear of the enemy's right flank. This order was promptly obeyed, and the greatest exertions made to close with the enemy, but in vain; for such was the zeal and activity of the line commanded by Gen. Scott, that it was not to be checked. Maj. Jessup, commanding the left flank, finding himself pressed in front and flank, and his men falling fast around him, ordered his battallion to '*support arms, and advance*;' the order was promptly obeyed, amidst a most deadly and destructive fire. He gained a more secure position, and returned upon the enemy so galling a discharge, as caused them to retire. By this time their whole line was falling back, and our gallant soldiers pressing upon them, when they broke their lines, and ran to regain their works. In this effort he was too successful, when the guns opened immediately upon our line, and checked, in some degree, the pursuit. At this moment, I determined to bring up my ordnance, and force the place by a direct attack; Major Wood, of the engineers, and Capt. Austin, my aid, rode to the right of their line of works and examined them; I was induced by their report, to order the forces to retire to camp, till a future time.

Respectfully and truly yours. JACOB BROWN.

#### AMERICAN LOSS.

Killed 60—wounded 244—missing 19.

#### BRITISH LOSS.

Killed 199—wounded 320—prisoners 245.

### BLAKELEY'S VICTORY.

*Capt. Blakeley to the Secretary of the Navy.*

U. S. S. Wasp, L'Orient, July 8, 1814.

SIR—On Tuesday the 28<sup>th</sup> ult. being then in latitude 48, 36 N. and long. 11, 15 W. we fell in with, engaged,

and after an action of 19 minutes, captured his Britannic majesty's sloop of war *Reindeer*, William Manners, Esq. commander.

At half past 12, P. M. the enemy shewed a blue and white flag diagonally at the fore, and fired a gun. At 1, 15, called all hands to quarters, and prepared for action; 1, 22, believing we could weather the enemy, tacked ship and stood for him; 1, 50, the enemy tacked ship and stood from us; 1, 56, hoisted our colors and fired a gun to windward; at 2, 20, the enemy still standing from us, set the royals; at 2, 25, set the flying gib; at 2, 29, set the upper staysails; at 2, 32, the enemy having tacked for us took in the staysails; at 2, 47, furled the royals; at 2, 51, seeing that the enemy would be able to weather us, tacked ship; at 3, 3, the enemy hoisted his flying gib—brailed up our mizen; at 3, 15, the enemy on our weather quarter, distant about 60 yards, fired his shifting gun, a 12 pound carronade at us, loaded with round and grape shot from his top-gallant forecastle; at 3, 17, fired the same gun a second time; at 3, 19, fired it a third time; at 3, 21, fired it a fourth time; at 3, 24, a fifth shot, all from the same gun. Finding the enemy did not get sufficiently on the beam to enable us to bring our guns to bear, put the helm a-lee, and at 26 minutes after 3, commenced the action with the after carronade on the starboard side, and fired in succession; at 3, 34, hauled up the mainsail; at 3, 40, the enemy having his larboard bow in contact with our larboard quarter, endeavored to board us, but was repulsed in every attempt; at 3, 44, orders were given to board in turn, which were promptly executed, when all resistance immediately ceased, and at 3, 46, the enemy hauled down his flag.

The *Reindeer* mounted sixteen 24 lb. carronades, two long 6 or 9 pounders, and a shifting 12 lb. carronade, with a complement on board of 118 men. Her crew was said to be the pride of Plymouth.

The *Reindeer* was literally cut to pieces in a line with her ports; her upperworks, boats, and spare spars, were one complete wreck. A breeze springing up the next afternoon, her foremast went by the board.

Having received all the prisoners on board, which from the number of wounded occupied much time, together with

their baggage, the Reindeer was on the evening of the 29th set on fire, and in a few hours blew up.

I have the honor to be, &c.

J. BLAKELEY.

AMERICAN LOSS.

Killed 6—wounded 21.

BRITISH LOSS.

Killed 23—wounded 42.

*Gen. Brown to the Secretary of War.*

Buffalo, Aug. 17, 1814.

[*Extract.*] SIR—You are already apprised that the army had on the 25th ult. taken a position at Chippewa. About noon of that day, Col. Swift, who was posted at Lewistown, advised me by express, that the enemy appeared in considerable force in Queenston, and on its heights; that four of the enemy's fleet had arrived during the preceding night, and were then laying near fort Niagara, and that a number of boats were in view, moving up the strait. Within a few minutes after this intelligence had been received, I was further informed by Capt. Denmon, of the quarter master's department, that the enemy were landing at Lewistown, and that our baggage and stores at Schlosser, and on their way thither, were in danger of immediate capture. Gen. Scott, with the 1st brigade, Towson's artillery, and all the dragoons and mounted men, were accordingly put in march on the road leading to Queenston, with orders to report if the enemy appeared, and to call for assistance if that was necessary. On the General's arrival at the Falls he learned that the enemy was in force directly in his front—a narrow piece of woods alone intercepting his view of them. Waiting only to give this information he advanced upon them. By the time Assistant Adj. Gen. Jones had delivered his message, the action began; and before the remaining part of the division had crossed the Chippewa, it had become close and general between the advance corps. Though gen. Riply with the 2d brigade, Major Hindman with the corps of artillery, and Gen. Porter as the head of his command, had respectively pressed forward with ardor, it was not less than an hour before they were brought to sustain Gen. Scott, during which time his command most skilfully and gallantly

maintained the conflict. Upon my arrival I found that the General had passed the wood and engaged the enemy at Queenston road, and on the ground to the left of it, with the 9th, 11th, and 22d regts. and Towson's artillery. The 25th had been thrown to the right to be governed by circumstances. Apprehending that these corps were much exhausted, and knowing that they had suffered severely, I determined to interpose a new line with the advancing troops, and thus disengage gen. Scott and hold his brigade in reserve. Orders were accordingly given to gen. Ripley. The enemy's artillery at this moment occupied a hill which gave him great advantages, and was the key of the whole position. It was supported by a line of infantry. To secure the victory, it was necessary to carry this artillery and seize the height. This duty was assigned to Col. Miller, while, to favor its execution, the 1st regiment, under the command of Col. Nicholas, was directed to menace and amuse the infantry. To my great mortification, this regiment, after a discharge or two, gave way and retreated some distance before it could be rallied, though it is believed the officers of the regiment exerted themselves to shorten this distance. In the mean time, Col. Miller, without regarding this occurrence, advanced steadily and gallantly to his object, and carried the height and the cannon. Gen. Ripley brought up the 23d (which had also faltered) to his support, and the enemy disappeared from before them. The 1st regiment was now brought into line on the left of the 21st, and the detachments of the 17th and 19th, Gen. Porter occupying, with his command the extreme left. About the time Col. Miller carried the enemy's cannon, the 25th regiment, under Maj. Jessup, was engaged in a more obstinate conflict with all that remained to dispute with us the field of battle. The Maj. as has been already stated, had been ordered by Gen. Scott, at the commencement of the action, to take ground to his right. He had succeeded in turning the enemy's left flank—had captured (by a detachment under Capt. Ketchum) Gen. Riall and sundry other officers; and shewed himself again to his own army, in a blaze of fire, which defeated or destroyed a very superior force of the enemy. He was ordered to form on the right of the 2d regiment. The enemy rallying his forces, and as is believed, having received reinforcements, now attempted

to drive us from our positions, and regain his artillery.—Our line was unshaken, and the enemy repulsed. Two other attempts having the same object, had the same issue. Gen. Scott was again engaged in repelling the former of these; and the last I saw of him on the field of battle, he was near the head of his column, and giving to its march a direction that would have placed him on the enemy's right. It was with great pleasure I saw the good order and intrepidity of Gen. Porter's volunteers from the moment of their arrival, but during the last charge of the enemy, those qualities were conspicuous. Stimulated by the examples set by their gallant leader, by Maj. Wood, of the Pennsylvania corps, by Col. Dobbin, of New-York, and by their officers generally, they precipitated themselves upon the enemy's line, and made all the prisoners which were taken at this point of the action.

Having been for some time wounded, and been a good deal exhausted by loss of blood, it became my wish to devolve the command on Gen. Scott, and retire from the field; but on enquiry, I had the misfortune to learn, that he was disabled by wounds; I therefore kept my post, and had the satisfaction to see the enemy's last effort repulsed. I now consigned the command to Gen. Ripley.

I saw and felt the victory was complete. The exhaustion of our men was such as made some refreshment necessary. They particularly required water; I therefore ordered Gen. Ripley to return to camp, after bringing off the dead, wounded, and artillery, which was effected in good order. I have the honor to be, &c.

JACOB BROWN.

AMERICAN LOSS.

Killed, 171—Wounded, 572—Missing, 110.

BRITISH LOSS.

Killed, 184—Wounded, 569—Prisoners, 221.

*Gen. Gaines to the Secretary of War.*

*Fort Erie, Aug. 23, 1814.*

[Extract.] SIR—I have the honor to communicate the particulars of the battle fought at this place, on the 15th inst. I have heretofore omitted stating to you, that during the 13th and 14th, the enemy had kept up a brisk cannonade upon this fort, which was briskly returned from our



batteries, without any considerable loss on our part. At 8, A. M. of the 15th, one of their shells lodged in a small magazine in Fort Erie, which was fortunately almost empty. It blew up with an explosion more awful in its appearance, than injurious in its effects, as it did not disable a man, or derange a gun. It occasioned but a momentary cessation of the thunders of the artillery on both sides; it was followed by a loud and joyous shout by the British army, which was immediately answered on our part, and Capt. Williams, amidst the smoke of the explosion, renewed the contest with an animated roar of his heavy cannon.

The night was dark and rainy, but the faithful centinel slept not. At half past 2 o'clock, the right column of the enemy approached, and though enveloped in darkness,\* black as his designs and principles, was distinctly heard on our left, and promptly marked by our musketry and cannon. Being mounted at the moment, I repaired to the point of attack, where the sheet of fire enabled me to see the enemy's column, about 1500 men, approaching on that point; his advance was not checked until it had approached within ten feet of our infantry. A line of loose brush representing an *abettis* only intervened; a column of the enemy attempted to pass round the *abettis* through the water, where it was nearly breast deep. At this moment the enemy were repulsed, but instantly renewed the charge, and were again repulsed. My attention was now called to the right, where our batteries and lines were lighted by a most brilliant fire of cannon and musketry; it announced the approach of the centre and left columns of the enemy, under Cols. Drummond and Scott; they were soon repulsed. That of the centre, led by Col. Drummond was not long kept in check; it approached at once every assailable point of the fort, and with scaling ladders, ascended the parapet, but was repulsed with dreadful carnage.—The assault was twice repeated, and as often checked; but the enemy having moved round the ditch, covered with darkness, and the heavy cloud of smoke which rolled from our cannon and musketry, repeated the charge, and re-ascended the ladders, when their pikes, bayonets and spears,

\* 'I, with several of my officers, several times, heard orders given, to give the damned Yankee rascals no quarters.'

fell upon our gallant artillerymen. Our bastion was lost; Lieut. M'Donough, being severely wounded demanded quarter—it was refused by Col. Drummond. M'Donough then seized a handspike, and nobly defended himself until he was shot down with a pistol by the *monster* who had refused him quarter, who often reiterated the order—*give the damned yankee rascals no quarter*. This hardened murderer soon met his fate; he was shot through the breast while repeating the order, *to give no quarter*.

The battle now raged with increased fury on the right, but on the left the enemy was repulsed and put to flight. Thence and from the centre I ordered reinforcements.—They were promptly sent by Brig. Gen. Ripley and Brig. Gen. Porter. Capt. Fanning, of the corps of artillery, kept up a spirited and destructive fire with his field pieces on the enemy while attempting to approach the fort. Major Hindman's gallant efforts, aided by Maj. Trimble, having failed to drive the enemy from the bastion with the remaining artillerymen and infantry in the fort, Capt. Birdsall of the 4th rifle regiment, with a detachment of riflemen, gallantly rushed in through the gateway to their assistance, and with some infantry charged the enemy; but was repulsed and the Captain severely wounded. A detachment from the 11th, 19th, and 22d infantry, under Capt. Foster of the 11th, were introduced over the interior bastion, for the purpose of charging the enemy. Major Hall, Assist. Ins. Gen. very handsomely tendered his services to lead the charge. The charge was gallantly made by Capt. Foster and Maj. Hall, but owing to the narrowness of the passage up to the bastion admitting only 2 or 3 men abreast, it failed. It was often repeated, and as often checked. The enemy's force in the bastion was, however, much cut to pieces and diminished by our artillery and small arms. At this moment every operation was arrested by the explosion of some cartridges deposited in the end of the stone building adjoining the contested bastion. The explosion was tremendous—it was decisive: the bastion was restored. At this moment Capt. Biddle was ordered to cause a field piece to be posted so as to enfilade the exterior plain and salient glacis. Capt. Fanning's battery likewise played

upon them at this time with great effect. The enemy were in a few moments entirely defeated, taken, or put to flight.

I have the honor to be, &c.

EDMUND R. GAINES.

#### AMERICAN LOSS.

Killed 17—Wounded 56—Missing 11—Total 84.

#### BRITISH LOSS.

Killed 422—Wounded 354—Prisoners 186—Total 962.

## CHAPTER XII.

### CAPTURE OF WASHINGTON AND ALEXANDRIA.

*Copy of a letter from the mayor of Alexandria to the mayor of Georgetown.*

DEAR SIR—Enclosed is a copy of the terms proposed to the common council of Alexandria, by the commanding officer of the squadron now lying before the town, to which they were compelled to submit.

Very respectfully, &c.

CHARLES SIMMS.

### TERMS OF CAPITULATION.

*His Majesty's ship Sea Horse,  
Off Alexandria, 29th Aug. 1814.*

GENTLEMEN—In consequence of a deputation yesterday received from the city of Alexandria, requesting favorable terms for the safety of the city, the undermentioned are the only conditions in my power to offer.

The town of Alexandria, with the exception of public works, shall not be destroyed, unless hostilities are commenced on the part of the Americans, nor shall the inhabitants be molested in any manner whatever, or their dwelling houses entered, if the following articles are complied with :

Art. 1. All naval and ordnance stores, public or private, must be immediately delivered up.

2. Possession will be immediately taken of all the shipping, and their furniture must be sent on board by the owners without delay.

3. The vessels that have been sunk must be delivered up in the state they were, on the 19th of August, the day of the squadron passing the Kettle Bottoms.

4. Merchandize of every description must be instantly delivered up, and to prevent any irregularity, that might be committed in its embarkation, the merchants have it at their option to load the vessels generally employed for that purpose, when they shall be towed off by us.

5. All merchandize that has been removed from Alexandria, since the 19th inst. is to be included in the above articles.

6. Refreshments of every description to be supplied the ships, and paid for at the market price, by bills on the British government.

7. Officers will be appointed to see that articles No. 2, 3, 4 and 5, are strictly complied with, and any deviation or non-compliance, on the part of the inhabitants of Alexandria, will render this treaty null and void.

I have the honor to be, &c.

JOHN A. GORDON,

*Captain of H. M. ship Sea Horse,*

*and senior officer of H. M. ships off Alexandria.)*

To the common council

of the town of Alexandria.

*Gen. Winder to the Secretary of War.*

Baltimore, August 27, 1814.

SIR—When the enemy arrived at the mouth of the Potomac, of all the militia which I had been authorised to assemble, there were but about 1700 in the field, from 13 to 1400 under Gen. Stansbury near this place, and about 250 at Bladensburgh, under Lieut. Col. Kramer.

After all the force that could be put at my disposal in that short time, and making such dispositions as I deemed best calculated to present the most respectable force at whatever point the enemy might strike, I was enabled by the most active and harrassing movements of the troops to interpose before the enemy at Bladensburgh about 3000 men, including 350 regulars and Commodore Barney's command. Much the largest portion of this force arrived on the ground when the enemy were in sight, and were disposed of to support in the best manner the position which

Gen. Stansbury had taken. They had barely reached the ground before the action commenced, which was about 1 o'clock P. M. of the 24th inst. and continued about an hour.

The artillery from Baltimore supported by Maj. Pinkney's rifle battalion, and a part of Capt. Doughtey's from the navy yard, were in advance to command the pass of the bridge at Bladensburgh, and played upon the enemy, with very destructive effect. But the rifle troops were obliged after some time to retire, and of course the artillery. Superior numbers however rushed upon them and made their retreat necessary, not however without great loss on the part of the enemy.

The right and centre of Stansbury's brigade consisting of Lieut. Col. Ragan's and Shuler's regiments, generally gave way very soon afterwards, with the exception of about 40, rallied by Col. Ragan, after having lost his horse, and the whole or a part of Capt. Shower's company, both of whom Gen. Stansbury represents to have made, even thus deserted, a gallant stand.

The reserve under Brig. Gen. Smith of the District of Columbia, with the militia of the city and Georgetown; with the regulars and some detachments of Maryland militia, flanked on their right by Com. Barney, and his brave fellows, and Lieut. Col. Beal, still were on the right on the hill, and maintained the contest for some time with great effect.

It is not with me to report the conduct of Com. Barney, and his command, nor can I speak from observation, being too remote, but the concurrent testimony of all who did observe them, does them the highest justice for their brave resistance and the destructive effect they produced on the enemy.

From the best intelligence, there remains but little doubt that the enemy lost at least four hundred killed and wounded, and of these a very unusual portion killed.

Our loss cannot, I think, be estimated at more than from thirty to forty killed, and fifty to sixty wounded, and one hundred and twenty prisoners.

I am, with very great respect, &c.

WILLIAM H. WINDER.

*Com. Barney to the Secretary of the Navy.*

Farm, at Elk ridge, Aug. 29, 1814.

[*Extract.*] SIR—This is the first moment I have had it in my power to make a report of the proceedings of the forces under my command since I had the honor of seeing you on Tuesday, the 23d inst. at the camp at the 'Old Fields.' On the afternoon of that day we were informed that the enemy was advancing upon us. Our army was put into order of battle and our positions taken; my forces were on the right flanked by the two battalions of the 36th and 38th regiments. A little before sunset Gen. Winder came to me and recommended that the heavy artillery should be withdrawn, with the exception of one 12 pounder to cover the retreat. We took up the line of march in the night, and entered Washington by the Eastern Branch bridge. The Gen. requested me to take command and place my artillery to defend the passage of the bridge on the Eastern Branch, as the enemy was approaching the city in that direction. I immediately put my guns in position, leaving the marines and the rest of my men at the barracks, to wait further orders. I was in this situation when I had the honor to meet you, with the President, and heads of Departments, when it was determined I should draw off my guns and men, and proceed towards Bladensburgh, which was immediately put into execution. On our way I was informed the enemy was within a mile of Bladensburgh; we hurried on, though the day was very hot, and my men much crippled from the severe marches we had experienced the preceding days. I preceded the men, and when I arrived at the line which separates the District from Maryland, the battle began. I sent an officer back to hasten on my men—they came up in a trot. We took our position on the rising ground, put the pieces in battery, posted the marines under Capt. Miller, and flotilla men, who were to act as infantry under their own officers, on my right, to support the pieces, and waited the approach of the enemy. During this period the engagement continued—the enemy advancing, and our army retreating before them—apparently in much disorder. At length the enemy made his appearance on the main road in force and in front of my battery, and on seeing us made a halt; I reserved our fire; and in a few minutes the enemy again advanced, when I

ordered an 18 pounder to be fired, which completely cleared the road ; shortly after, a second and third attempt was made by the enemy to come forward, but all who made the attempt were destroyed. The enemy then crossed over into an open field and attempted to flank our right. He was there met by three 12 pounders, the marines under Captain Miller, and my men acting as infantry, and again was totally cut up. By this time not a vestige of the American army remained, except a body of five or six hundred posted on a height on my right, from whom I expected much support from their fine situation. The enemy from this period never appeared in front of us. He however pushed forward his sharp shooters, one of whom shot my horse from under me, which fell dead between two of my guns. The enemy, who had been kept in check by our fire nearly half an hour, now began to out flank us on the right. Our guns were turned that way—he pushed up the hill about two or three hundred men towards the corps of Americans stationed as above described, who, to my great mortification made no resistance, giving a fire or two and retiring.

In this situation we had the whole army of the enemy to contend with ; our ammunition was expended, and unfortunately the drivers of my ammunition waggons had gone off in the general panic. At this time I received a severe wound in my thigh. Finding the enemy now completely in our rear and no means of defence, I gave orders to my officers and men to retire. The great loss of blood occasioned such a weakness that I was compelled to lie down. I requested my officers to leave me, which they obstinately refused, but upon being ordered, they obeyed : one only remained. In a short time I observed a British soldier and had him called, and directed him to seek an officer ; in a few minutes an officer came, who, on learning who I was, brought Gen. Ross and Admiral Cockburn to me. These officers behaved to me with the most marked attention, respect, and politeness ; had a surgeon brought, and my wound dressed immediately. After a few minutes conversation, the General informed (after paying me a handsome compliment,) that I was *paroled*, and at liberty to proceed to Washington or Bladensburg, offering me every assistance in his power, giving orders for a litter to be brought, in which I was carried to Bladensburg.

My wound is deep, but I flatter myself not dangerous ; the ball is not yet extracted.

JOSHUA BARNEY.

*Com. Macdonough to the Secretary of the Navy.*

U. S. ship Saratoga, off Plattsburg, Sept. 11, 1814.

SIR—The Almighty has been pleased to grant us a signal victory on Lake Champlain, in the capture of one frigate, one brig, and two sloops of war of the enemy.

I have the honor to be, &c.

T. MACDONOUGH.

*Com. Macdonough to the Secretary of the Navy.*

U. S. ship Saratoga, at anchor off }  
Plattsburg, Sept. 13, 1814. }

SIR—By Lieut. commandant Cassin, I have the honor to convey to you the flags of his Britannic majesty's late squadron, captured on the 11th inst. by the U. States' squadron under my command, together with the particulars of the action which took place on the 11th inst. on this lake.

At 8 A. M. the look-out boat announced the approach of the enemy. At 9, he anchored in a line ahead, at about three hundred yards distance from my line ; his ship opposed to the Saratoga, his brig to the Eagle, his gallies, thirteen in number, to the schooner, sloop, and a division of our gallies ; one of his sloops assisting their ship and brig, the other assisting their gallies. Our remaining gallies with the Saratoga and Eagle.

In this situation the whole force on both sides became engaged, the Saratoga suffering much from the heavy fire of the Confiance. I could perceive at the same time, however, that our fire was very destructive to her. The Ticonderoga gallantly sustained her full share of the action. At half past 10 o'clock the Eagle, not being able to bring her guns to bear, cut her cable and anchored in a more eligible position, between my ship and the Ticonderoga, where she very much annoyed the enemy. Our guns on the starboard side being nearly all dismounted, or not manageable, a stern anchor was let go, the bower cable cut, and the ship winded with a fresh broadside on the enemy's ship, which soon after surrendered. Our broadside was then sprung to bear on the brig, which surrendered in about 15 minutes after,



The sloop that was opposed to the Eagle, had struck some time before and drifted down the line; the sloop which was with their galleys having struck also. Three of their galleys are said to be sunk, the others pulled off. Our galleys were about obeying with alacrity the signal to follow them, when all the vessels were reported to me to be in a sinking state: it then became necessary to annul the signal to the galleys, and order their men to the pumps.

I could only look at the enemy's galleys going off in a shattered condition, for there was not a mast in either squadron that could stand to make sail on.

The Saratoga had fifty-five round shot in her hull; the Confiance one hundred and five. The enemy's shot passed principally just over our heads, as there were not 20 whole hammocks in the nettings at the close of the action, which lasted without intermission two hours and twenty minutes.

The Saratoga was twice set on fire with hot shot from the enemy's ship.

I have the honor to be, &c.

T. MACDONOUGH.

P. S.—Accompanying this is a list of killed and wounded, a list of prisoners—and a precise statement of both forces engaged.

#### AMERICAN FORCE AND LOSS.

Ships.	guns.	men.	killed.	wounded.
Saratoga,	26	210	28	29
Eagle,	20	120	13	20
Ticonderoga,	17	110	6	6
Preble,	7	30	2	
10 Gun Boats,	16	350	3	3
	<hr/> 86	<hr/> 820	<hr/> 52	<hr/> 58

#### BRITISH FORCE AND LOSS.

Ships.	guns.	men.	killed.	wounded.
Confiance,	39	300	50	60
Linnnet,	16	120	20	30
Growler,	11	40	6	10
Eagle,	11	40	8	10
13 Gun Boats,	18	550	90	sunk
	<hr/> 95	<hr/> 1050	<hr/> 174	<hr/> 110

**Note.**—*The following valuable property was taken on board the fleet, to wit :—11,800 lbs. of powder exclusive of fixed ammunition—85,000 lbs. of cannon ball—6000 muskets—600 suits of sailors' clothing, and all the winter clothing of the whole of their land army.*

*Gen. Macomb to the Secretary of War.*

Plattsburg, Sept. 12, 1814.

[*Extract.*] SIR—I have the honor to inform you that the British army commanded by sir George Prevost, consisting of four brigades, a corps of artillery ; a squadron of horse, and a strong light corps, amounting in all to 14,000 men, after investing this place on the north of the Saranac river since the 5th inst. broke up their camp and raised the siege this morning at 2 o'clock, retreating precipitately, and leaving their sick and wounded behind. The strength of this garrison is only 1500 men fit for duty !!

The light troops and militia are in full pursuit of the enemy, making prisoners in all directions. Upwards of 300 deserters have already come in, and many arrive hourly. Our loss in the fort is trifling indeed, having only one officer and 15 men killed, and one officer and 30 men wounded.

Vast quantities of provision were left behind, and destroyed ; also an immense quantity of bomb shells, cannon ball, grape shot, ammunition, flints, &c. &c. intrenching tools of all sorts, also tents and marquees. A great deal has been found concealed in the ponds and creeks, and buried in the ground, and a vast quantity carried off by the inhabitants. Such was the precipitance of his retreat, that he arrived at Chazy, a distance of eight miles before we discovered that he had gone.

We have buried the British officers of the army and navy, with the honors of war, and shewn every attention and kindness to those who have fallen into our hands. The conduct of the officers, non-commissioned officers and soldiers of my command, during this trying occasion cannot be represented in too high terms. I have the honor to be, &c.

ALEXANDER MACOMB,

AMERICAN LOSS.

Killed 37—wounded 62—missing 20.

BRITISH LOSS.

Killed 368—wounded 494—prisoners 252—deserted 786.

*Burning of Petipauge.*—Between 10 and 11 o'clock, P. M. of April 7th, 1814, six British boats were discovered coming into Connecticut river; by 12, a large force of the enemy had taken possession of an old fort at Saybrook Point, where, finding nothing, the fort having been decayed for several years, re-entered their boats, and proceeded for Petipauge Point, 6 miles higher up the river, where they arrived about 4 o'clock. The vessels in the harbor being on fire, first gave notice that the enemy was near. There was not time after the alarm, to get the women and children off, before the enemy had landed, and began burning the vessels on the stocks; they immediately commenced searching the houses and stores, for arms and ammunition, taking all they could find, and destroying furniture to a considerable amount; liquors of all kinds, when found, after satisfying themselves, were destroyed by staving the casks. There was no opposition to their plunder, although they remained on shore till 10 o'clock, when they called in their men, and proceeded down the river about a mile, with a brig, a schooner, and 2 sloops, where they anchored and lay till dark, when they set fire to their prizes, and proceeded down to their vessels.

*Attack on Stonington.*—The British fleet off New-London having been reinforced on the 9th August, 1814, a part of it, to wit, one 74, two frigates, a sloop of war, and a brig, appeared off Stonington, when sir Thomas Hardy sent a flag on shore for the information of the women and children, that if the town was not surrendered in one hour, the whole should be laid in ashes. The inhabitants informed sir Thomas, that Stonington was not Petipauge, and prepared their cannon, 2 long eighteens's, and one 6 pounder for defending themselves. The attack began at 9, at night, and continued till 1 in the morning, with round shot, bombs, and rockets. The militia, 30 in number, returned the fire with great vigor and effect. The attack was renewed next morning, and as warmly resented—their brig, which lay nearest shore, was almost cut to pieces, and one barge, full of men, was sunk, when the enemy withdrew. Our loss was 4 wounded, 2 houses fired, and 2 horses killed. On the 11th they again attacked the place, before which, the humane sir Thomas sent in another de-

mand for its surrender, accompanied with a threat, that if it was not complied with, he would lay the town in ashes, or *sacrifice his whole force, consisting of 13 ships of war*. Our little band of Heroes paid little attention to his threat, but went *steadily* to work at their cannon, and *mauled* the enemy so, that he was obliged to abandon the expedition.

*Gen. Smith to the Secretary of War.*

Baltimore, Sept. 19, 1815.

[*Extract.*] SIR—I have the honor of stating that the enemy landed between 7 and 8000 men on the 12th inst. at North Point, 14 miles distant from this city. Anticipating this debarkation, Gen. Stricker had been detached on Sunday evening with a portion of his brigade, to check any attempt the enemy might make in that quarter to land; the General took a position on Monday, at the junction of the two roads leading from this place to the Point, having his right flanked on Bear Creek, and his left by a marsh. Here he waited the approach of the enemy, after having sent on an advance corps. Between two and three o'clock the enemy's whole force came up, and commenced the battle by some discharges of rockets, which were succeeded by the cannon from both sides, when the action became general. Gen. Stricker gallantly maintained his ground against this great superiority of numbers, one hour and 20 minutes, when his left gave way and he was obliged to retire to the ground in his rear. He there formed his brigade, but the enemy not thinking it advisable to pursue, he fell back, according to previous arrangements, and formed on the left of my entrenchments. I feel a pride in the belief, that the stand made on Monday, in no small degree, tended to check the temerity of a foe, daring to invade a country like ours. Major General Ross the commander in chief of the British forces, was killed in this action. About the time Gen. Stricker joined my left, he was joined by Gen. Winder, (who had been stationed on the west side of the city,) with Gen. Douglass' brigade of Virginia militia, and the U. S. dragoons, who took post on the left of Gen. Stricker. Meanwhile, Gens. Stansbury and Forman, the seamen and marines under Com. Rodgers, the Pennsylvania volunteers under Cols. Cobean and Findley, the Baltimore artillery under Col. Harris, and the marine

artillery under Capt. Stiles, manned the trenches and batteries—all prepared to meet the enemy.

On Tuesday the enemy appeared in front of my entrenchments, at the distance of two miles, on the Philadelphia road, and attempted by a circuitous rout, to march against our left, and enter the city; Generals Winder and Stricker were ordered to adapt their movements so as to defeat their intentions, which completely succeeded. This movement induced the enemy to concentrate his forces by one or two o'clock, in my front, pushing his advance to within a mile of our videttes, and shewing an intention of attacking us that evening. I drew Generals Winder and Stricker nearer to the left of my entrenchments, and to the right of the enemy, with the intention of falling on his rear, should he attack me; or, if he declined it, of attacking him in the morning. To this movement, and my defences, which the enemy had the fairest opportunity of observing, I attribute his retreat, which was commenced at 1 o'clock the next morning, in which he was so favored, by the extreme darkness, and continued rain, that we did not discover it until day light. A considerable detachment was sent in pursuit, but the troops being so worn down by fatigue, that they could do nothing more than pick up a few stragglers; they completed their embarkation the next day at 1 o'clock.

I have now the pleasure of calling your attention to the brave commander of fort McHenry, Major Armistead, and to the operations in that quarter.

Maj. Armistead had under his command one company of U. S. artillery, two do. sea fencibles, three do. of Baltimore artillery, a detachment from Com. Barney's flotilla, and about 600 militia, in all about 1000 men.

On the 12th, 16 ships, including 5 bomb ships, anchored about two miles from the fort. The next morning at sunrise, the enemy commenced the attack, from his bomb vessels, at the distance of two miles, which was out of our reach. At 2 o'clock one of our guns was dismounted, which occasioned considerable bustle in the fort, killing one and wounding several, which induced the enemy to draw his ships within a good striking distance, when the Major opened a well directed fire upon them for half an hour, which caused them to haul off to their old position.

when our brave little band gave three cheers, and again ceased firing. Availing themselves of the darkness of the night, they had pushed a considerable force above the fort, and formed in a half circle, when they commenced firing again, which was returned with spirit, for more than two hours, when the enemy were again obliged to haul off.

During the bombardment, which lasted 25 hours, on the part of the enemy, from 15 to 1800 shells were thrown by them; 400 of which fell in the fort, threatening destruction to all within, but wonderful as it may appear, only 4 of our men were killed, and 24 wounded.

I have the honor to be, &c.

S. SMITH.

#### AMERICAN LOSS.

Killed 24—wounded 90—missing 47.

#### BRITISH LOSS.

Killed 97—wounded 165—prisoners 136.

#### *Gen. Jackson to the Secretary of War.*

Mobile, September 17, 1814.

[*Extract.*] SIR—With lively emotions of satisfaction, I communicate that success has crowned the gallant efforts of our brave soldiers, in resisting and repulsing a combined British naval and land force, which on the 15th inst. attacked fort Bowyer, on the point of Mobile.

The ship which was destroyed, was the *Hermes*, of from 24 to 28 guns, Captain the hon. William H. Percy, senior officer in the Gulf of Mexico; and the brig so considerably damaged is the *Sophie*, 18 guns. The other ship was the *Carron*, of from 24 to 28 guns; the other brig's name unknown.

On board the *Carron* 85 men were killed and wounded; among whom was Col. Nicoll, of the royal marines, who lost an eye by a splinter. The land force consisted of 110 marines, and 200 Creek Indians, under the command of Capt. Woodbine, of the marines, and about 20 artillerymen, with one four and a half inch howitzer, from which they discharged shells and nine pound shot. They re-embarked the piece, and retreated by land towards Pensacola, whence they came.

By the morning report of the 16th, there were present in the fort, fit for duty, officers and men, 158.

I have the honor, &c.

ANDREW JACKSON.

*Gen. Brown to the Secretary of War.*

Fort Erie, Sept. 29, 1814.

[*Extract*] SIR—In my letter of the 18th inst. I briefly informed you of the fortunate issue of the sortie which took place the day preceding.

The enemy's camp I had ascertained to be situated in a field surrounded by woods nearly two miles distant from their batteries and entrenchments, the object of which was to keep the parts of the force which was not upon duty, out of the range of our fire from fort Erie and Black Rock. Their infantry was formed into three brigades, estimated at 12 or 15 hundred men each. One of these brigades, with a detail from their artillery, was stationed at their works, (these being about 500 yards distant from old fort Erie, and the right of our line.) We had already suffered much from the fire of two of their batteries, and were aware that a third was about to open upon us. Under these circumstances, I resolved to storm the batteries, destroy the cannon, and roughly handle the brigade upon duty, before those in reserve could be brought into action.

On the morning of the 17th, the infantry and riflemen, regulars and militia, were ordered to be paraded and put in readiness to march precisely at 12 o'clock. Gen. Porter with the volunteers, Col. Gibson with the riflemen, and Major Brooks with the 23d and 1st infantry, and a few dragoons acting as infantry, were ordered to move from the extreme left of our position upon the enemy's right, by a passage opened through the woods for the occasion. Gen. Miller was directed to station his command in the ravine which lies between fort Erie and the enemy's batteries, by passing them by detachments through the skirts of the wood—and the 21st infantry under Gen. Ripley was posted as a corps of reserve between the new bastions of fort Erie; all under cover, and out of the view of the enemy.

About 20 minutes before three, P, M, I found the left column, under the command of Gen. Porter, which were destined to turn the enemy's right, within a few rods of the British entrenchments. They were ordered to advance and commence the action. Passing down the ravine, I judged from the report of musketry, that the action had commenced on our left; I now hastened to Gen. Miller, and directed him to seize the moment and pierce the en-

enemy's entrenchments between batteries No. 2 and 3. My orders were promptly and ably executed. Within 30 minutes after the first gun was fired, batteries No. 2 and 3, the enemy's line of entrenchments, and his two block houses were in our possession. Soon after battery No. 1 was abandoned by the British. The guns in each were spiked by us, or otherwise destroyed, and the magazine of No. 3 was blown up.

A few minutes before the explosion, I had ordered up the reserve under Gen. Ripley. As he passed me at the head of his column, I desired him, as he would be the senior in advance, to ascertain as near as possible, the situation of the troops in general, and to have a care that not more was hazarded than the occasion required; that the object of the sortie effected, the troops would retire in good order, &c. Gen. Ripley passed rapidly on—soon after, I became alarmed for Gen. Miller, and sent an order for the 21st to hasten to his support towards battery No. 1. Col. Upham received the order, and advanced to the aid of Gen. Miller. Gen. Ripley had inclined to the left, where Major Brooks' command was engaged, with a view of making some necessary enquiries of that officer, and in the act of doing so was unfortunately wounded. By this time the object of the sortie was accomplished beyond my most sanguine expectations. Gen. Miller had consequently ordered the troops on the right to fall back—observing this movement, I sent my staff along the line to call in the other corps. Within a few minutes they retired from the ravine, and from thence to camp.

Thus 1000 regulars, and an equal portion of militia, in one hour of close action, blasted the hopes of the enemy, destroyed the fruits of 50 days labor, and diminished his effective force 1000 men at least.

Lieut. Gen. Drummond broke up his camp during the night of the 21st, and retired to his entrenchments behind the Chippewa. A party of our men came up with the rear of his army at Frenchman's creek; the enemy destroyed part of their stores by setting fire to the buildings from which they were employed in conveying them. We found in and about their camp a considerable quantity of cannon ball, and upwards of 100 stand of arms.



I send you enclosed herein a return of our loss. The return of prisoners enclosed does not include the stragglers that came in after the action.

I have the honor to be, &c.

JACOB BROWN.

AMERICAN LOSS.

Killed 79—wounded 214—missing 218.

BRITISH LOSS.

Killed 271—wounded 311—prisoners 385.

BLAKELEY'S SECOND VICTORY.

*Capt. Blakeley to the Secretary of the Navy.*

U. S. S. Wasp, at sea, Sept. 11, 1814.

[Extract.] SIR—I have the honor of informing you of the destruction of H. B. M. brig Avon, of 18 guns by this ship on the 1st inst. At 6, 30 minutes P. M. discovered 4 sail; two on our starboard, and two on our larboard bow; hauled up for one on our starboard bow, being farthest to windward. At 7, the brig made signals, with flags, lanterns, rockets, and guns. At 9, 29, the chase being under our lee bow, commenced the action, by firing a 12 lb. cannonade at him, which he returned, when we run under his lee bow, to prevent his escaping. At 10, believing the enemy to be silenced, ceased firing, and hailed and asked if he had surrendered. No answer being given, and he having recommenced firing, it was returned. At 10, 12, the enemy having suffered greatly, and having made no return to our two last broadsides, I hailed the second time, when he answered in the affirmative. The guns were then ordered to be secured, and the boat lowered to take possession. In the act of lowering the boat, a second brig was discovered close under our stern, and standing for us. Sent the crew to quarters, and prepared for another action, and waited his coming up. At 10, 36, discovered two more sails astern, standing for us. Our braces having been cut away, we kept off the wind, until others could be rove, with the expectation of drawing the second brig from his companions, but was disappointed: having continued approaching us until within gun shot she suddenly hauled by the wind, fired a broadside, which done considerable damage, and soon retraced her steps to join her consorts. Our prize, when we abandoned her, was firing guns of distress;

the two last sails came to her assistance, in time to save her crew from sinking with the vessel, which went down soon afterwards.

I have the honor to be, &c.

**J. BLAKELEY.**

**AMERICAN LOSS.**

Killed 2—Wounded 1.

**BRITISH LOSS.**

Killed 12—Wounded 33.

*Gen. M'Arthur to the Secretary of War.*

H. Q. Detroit, Nov. 18, 1814.

[*Extract.*] **SIR**—I have the honor to report to you the safe return of the mounted troops to this place.

It was deemed expedient, from the ardour of the Kentucky and Ohio volunteers and militia, that they should be actively employed in the enemy's territory, with a view to destroy their resources, and paralyze any attempt they might make on this post during the winter. Accordingly 630 troops, and 70 Indians, were put in motion to destroy the valuable mills at the head of Lake Ontario, and Grand River. We proceeded over the river St. Clair, down to the Scotch settlement, up Bear Creek, about 30 miles, and across to the Moravian towns, where we arrived the 30th ult.

We were fortunate at this place in taking a British officer who was proceeding to Burlington with the information of our approach, which enabled us to reach Delaware town undiscovered. The rangers were detached across the Thames, to pass in rear of the town, to guard the different roads, whilst the troops were swimming their horses across. We were thus enabled to reach Oxford, 150 miles from Detroit, before they heard of our approach. A few hours before our arrival at Buford, the enemy retreated to Malcolm's mills, on the road to Burlington, where they were reinforced, to the number of 500 militia, and about 100 Indians. A deep creek of difficult passage, except at a bridge immediately in front of their works, which had been partly destroyed, lay between us. Arrangements were made for a joint attack on their front and rear. The Ohio troops were thrown across, under cover of a thick wood, and the Kentucky troops were ordered to attack in

front. The enemy were entirely defeated and dispersed, with the loss of 1 Capt. and 17 privates killed, and 8 Capts. 5 subalterns, and 103 privates, taken prisoners. Our loss was only one killed, and six wounded. The next day we proceeded on and took several prisoners, 200 stands of arms, and destroyed five valuable mills, when we commenced our return march for this place, which we reached yesterday

I have the honor to be, &c.

D. M'ARTHUR.

### CHAPTER XIII.

*Gen. Jackson to Gov. Early.*

H. Q. Tensaw, Nov. 14th, 1814.

[*Extract.*] SIR—Last evening I returned from Pensacola to this place—I reached that post on the evening of the 6th. On my approach, I sent Maj. Pierre with a flag to communicate the object of my visit to the Gov. of Pensacola. He approached fort St. George, with his flag displayed, and was fired on by the cannon from the fort—he returned and made report thereof to me. I immediately went with the Adj. Gen. and the Maj. with a small escort, and viewed the fort and found it defended by British and Spanish troops. I immediately determined to storm the town.

On the morning of the 7th, I marched with the effective regulars of the 3d, 39th, and 44th infantry, part of Gen. Coffee's brigade, the Mississippi dragoons, and part of the West Tennessee regiment, and part of the Choctaws led by Maj. Blue, of the 39th, and Maj. Kennedy of the Mississippi territory. Being encamped on the west of the town I calculated they would expect the assault from that quarter, and be prepared to rake me from the fort, and the British armed vessels, seven in number, that lay in the bay. To cherish this idea I sent out part of the mounted men to show themselves on the west, whilst I passed in rear of the fort undiscovered to the east of the town. When I appeared within a mile, I was in full view. My pride was never more heightened than viewing the uniform firmness of

my troops, and with what undaunted courage they advanced, with a strong fort ready to assail them on the right, 7 British armed vessels on the left, and strong blockhouses and batteries of cannon in their front, but they still advanced with unshaken firmness, entered the town, when a battery of two cannon was opened upon the centre column composed of the regulars, with ball and grape, and a shower of musketry from the houses and gardens. The battery was immediately stormed by Capt. Levall and company, and carried, and the musketry was soon silenced by the steady and well directed fire of the regulars.

The Gov. met Cols. Williamson and Smith, who led the dismounted volunteers, with a flag, begged for mercy, and surrendered the town and fort unconditionally; mercy was granted and protection given to the citizens and their property.

On the morning of the 8th, I prepared to march and storm the Barancas, but, before I could move, tremendous explosions told me that the Barancas, with all its appendages, was blown up. I dispatched a detachment of two hundred men to explore it, who returned in the night with the information that it was blown up, all the combustible parts burnt, the cannon spiked and dismounted except two: this being the case, I determined to withdraw my troops, but before I did I had the pleasure to see the British depart.

The steady firmness of my troops has drawn a just respect from our enemies—It has convinced the Red Sticks that they have no strong hold or protection, only in the friendship of the United States. The good order and conduct of my troops whilst in Pensacola, has convinced the Spaniards of our friendship, and prowess, and has drawn from the citizens an expression that our Choc-taws are more civilized than the British.

I have the honor to be, &c.

ANDREW JACKSON.

*Gen. Jackson to the Secretary of War.*

H. Q. New-Orleans, Dec. 27, 1814.

[Extract.] SIR—I have the honor to inform you of the result of the action on the 23d. The loss of our gun boats near the pass of the Rigolets, have given the enemy com-

mand of lake Borgne, he was enabled to choose his point of attack. It became therefore an object of importance to obstruct the numerous bayous and canals leading from that lake, to the highlands on the Mississippi. This important service was committed to Major Gen. Villers, commanding the district between the river and the lakes, and was being a native of the country, was presumed to be best acquainted with all those passes. Unfortunately, however, a picquet which the Gen. had established at the mouth of the bayou Bienvenu, and which notwithstanding my orders had been left unobstructed, was completely surprised, and the enemy penetrated through a canal leading to his farm, about two leagues below the city, and succeeded in cutting off a company of militia stationed there.—This intelligence was communicated to me about 12 o'clock on the 22d. My force at this time did not exceed in all 1500. I arrived near the enemy's encampment about seven, and immediately made my dispositions for the attack. His forces amounting at that time on land to about 3000, extended half a mile on the river, and in the rear nearly to the woods. Gen. Coffee was ordered to turn their right, while with the residue of the force I attacked his strongest position on the left near the river.

Com. Patterson having dropped down the river in the schooner Caroline, was directed to open a fire upon their camp, which he executed at about half after seven. This being the signal of attack, Gen. Coffee's men with their usual impetuosity, rushed on the enemy's right and entered their camp, while par right advanced with equal ardor. A thick fog arose about 8 o'clock occasioning some confusion among the different corps. Fearing the consequences, under this circumstance, of the prosecution of a night attack with troops then acting together for the first time, I contented myself with lying on the field that night; and at four in the morning assumed a stronger position about two miles nearer the city.

In this affair the whole corps under my command deserve the greatest credit. The best compliment I can pay to Gen. Coffee and his brigade, is to say, they behaved as they have always done while under my command. The two field pieces were well served by the officer commanding them.

We have made 1 major, 3 subalterns, and sixty-three privates prisoners.

I have the honor to be, &c.

ANDREW JACKSON.

AMERICAN LOSS.

Killed and Wounded 100.

BRITISH LOSS.

Killed and Wounded 344—Prisoners 66.

*Gen. Jackson to the Secretary of War.*

H. Q. New-Orleans, Jan. 13, 1815.

[*Extract.*] SIR—At such a crisis I conceive it my duty to keep you constantly advised of my situation.

Early on the morning of the 8th; the enemy having been actively employed the two preceding days in making preparations for a storm, advanced in two strong columns on my right and left. They were received however, with a firmness, which seems, they little expected, and which defeated all their hopes. My men undisturbed by their approach, which indeed they long anxiously wished for, opened upon them a fire so deliberate and certain, as rendered their scaling ladders and fascines, as well as their more direct implements of warfare, perfectly useless. For upwards of an hour it was continued with a briskness of which there have been but few instances, perhaps, in any country. In justice to the enemy it must be said, they withstood it as long as could have been expected from the most determined bravery. At length however when all prospect of success became hopeless, they fled in confusion from the field—leaving it covered with their dead and wounded.

My loss was inconsiderable; being only seven\* killed and six wounded.

Such a disproportion in loss, when we consider the number and the kind of troops engaged, must, I know, excite astonishment, and may not, every where, be fully credited: yet I am perfectly satisfied that the account is not exaggerated on the one part, nor underrated on the other.

Whether after the severe losses he has sustained, he is preparing to return to his shipping, or to make still might-

\* This was in the action on the line—afterwards a skirmishing was kept up in which a few more of our men were lost.

tier efforts to attain his first object, I do not pretend to determine. It becomes me to act as though the latter was his intention. One thing, however, seems certain, that if he still calculates on effecting what he has hitherto been unable to accomplish he must expect considerable reinforcements, as the force with which he landed, must undoubtedly be diminished at least 3000. Besides the loss which he sustained on the night of the 23d ultimo, which is estimated at 400, he cannot have suffered less between that period and the morning of the 8th inst. than 300; having within that time, been repulsed in two general attempts to drive us from our position, and there having been continual cannonading and skirmishing, during the whole of it. Yet he is still able to show a very formidable force.

The commanding General sir Edward Packenham was killed in the action of the 8th, and Major Generals Kean and Gibbs were mortally wounded.

I have the honor to be, &c,

ANDREW JACKSON.

AMERICAN LOSS.

Killed seven—wounded six.

BRITISH LOSS.

Killed 700—wounded 1400—prisoners 562.

*Lieut. Shields to Com. Patterson.*

New-Orleans, Jan. 25th, 1815.

[*Extract.*] SIR—I have the honor of reporting the result of the expedition ordered by you on the 17th inst. The 19th, at night, I left the Pass Cheuf Menteur, having made the necessary observations on the enemy before dark, with 5 boats and your gig, manned with 50 men. At 10 P. M. captured a boat by surprise, manned with 55 men. The number of prisoners exceeding my men, I thought it most prudent to land them, to prevent weakening my force, which was accordingly done, and the prisoners were put into the charge of the army at the Pass. The 21st, at day light, I again fell into the track of the fleet. Finding it impossible to make any captures, without being discovered, I determined to run down among them, and strike at every opportunity—hoisted English colors, and took a transport boat with 5 men; ordered her to follow, and stood for a transport schooner, with 10 men, which I board-

ed with 8 men, and took without opposition. From 9, to 12 o'clock, we were in the midst of their boats, and succeeded in taking 5 more, with about 70 men. The enemy's loss on this occasion was 140 prisoners, 7 boats and 1 transport schooner.

I have the honor to be, &c.

THO. SHIELDS.

*Sailing master Johnson to Com. Patterson.*

New-Orleans, January 7, 1815.

[*Extract.*] SIR—I have the pleasure of informing you of my succeeding in destroying a transport brig in lake Borgne, yesterday, at 4 A. M. On the 5th inst. I proceeded down to the east mouth of the Pass, to ascertain the enemy's position; finding at anchor there one brig, three gun boats, three schooners, and several barges, the brig lying a mile distant from the others, I returned, and determined to make an attempt to destroy her. My crew now amounted to 38 men; with this force I was confident I should be able to destroy her, although I had been previously informed she mounted 4 pieces of cannon, and equipped accordingly. On the 6th at 4 A. M. we boarded the brig, her crew consisting of a Captain, a sailing master, and 8 marines, making no resistance. It being nearly day-light, I ordered the prisoners into my boat, and set fire to the brig, which proved to be the Cyrus, loaded with rum, bread, and soldiers clothing.

I have the honor to be, &c.

WILLIAM JOHNSON.

#### ADDRESS,

*Directed by Major General Jackson to be read at the head of each of the corps composing the line below New-Orleans, January 21, 1815.*

Citizens and fellow soldiers! The enemy has retreated, and your General has now leisure to proclaim to the world what he has noticed with admiration and pride—your undaunted courage, your patriotism and patience, under hardships and fatigues.—Natives of different States, acting together for the first time in this camp; differing in habits and in language, instead of viewing in these circumstances the germ of distrust and division, you have made them



the source of an honorable emulation, and from the seeds of discord itself have reaped the fruits of an honorable union. This day completes the fourth week since fifteen hundred of you attacked treble your number of men, who had boasted of their discipline, and their services, under a celebrated leader, in a long and eventful war—attacked them in their camp, the moment they had profaned the soil of freedom with their hostile tread, and inflicted a blow which was a prelude to the final result of their attempt to conquer, or their poor contrivances to divide us. A few hours was sufficient to unite the gallant band; though at the moment they received the welcome order to march, they were separated many leagues, in different directions from the city. The gay rapidity of the march, and the cheerful countenances of the officers and men, would have induced a belief that some festive entertainment, not the strife of battle, was the scene to which they hastened with so much eagerness and hilarity. In the conflict that ensued, the same spirit was supported, and my communications to the executive of the U. States have testified the sense I entertained of the merits of the corps and officers that were engaged. Resting on the field of battle, they retired in perfect order on the next morning to these lines, destined to become the scene of future victories, which they were to share with the rest of you, my brave companions in arms. Scarcely were your lines in a protection against musket shot, when on the 23d a disposition was made to attack them with all the pomp and parade of military tactics, as improved by those veterans of the Spanish war.

Their batteries of heavy cannon kept up an incessant fire; their rockets illuminated the air; and under their cover two strong columns threatened our flanks. The foe insolently thought that this spectacle was too imposing to be resisted, and in the intoxication of his pride he already saw our lines abandoned without a contest,—how were those menacing appearances met?

By shouts of defiance, by a manly countenance, not to be shaken by the roar of his cannon, or by the glare of his fire-work rockets; by an artillery served with superior skill, and with deadly effect. Never, my brave friends, can your General forget the testimonials of attachment to our glorious cause, of indignant hatred to our foe, of affection-

ate confidence in your chief, that resounded from every rank, as he passed along your line. This animating scene damped the courage of the enemy; he dropped his scaling ladders and fascines, and the threatened attack dwindled into a *demonstration*, which served only to shew the emptiness of his parade, and to inspire you with a just confidence in yourselves.

The new year was ushered in with the most tremendous fire his whole artillery could produce—a few hours only, however, were necessary for the brave and skilful men who directed our own to dismount his cannon, destroy his batteries, and effectually silence his fire. Hitherto, my brave friends, in the contest on our lines, your courage had been passive only; you stood with calmness, a fire that would have tried the firmness of a veteran, and you anticipated a nearer contest with an eagerness which was soon to be gratified.

On the 8th of January the final effort was made. At the dawn of day the batteries opened and the columns advanced. Knowing that the volunteers from Tennessee and the militia from Kentucky were stationed on your left, it was there they directed their chief attack.

Reasoning always from false principles, they expected little opposition from men, whose *officers* even were not in *uniform*, who were ignorant of the rules of dress, and who had never been *caned into discipline*—fatal mistake! a fire incessantly kept up, directed with calmness and unerring aim, strewed the field with the bravest officers and men of the column which slowly advanced, according to the most approved rules of European tactics, and was cut down by the untutored courage of American militia. Unable to sustain this galling and unceasing fire, some hundreds nearest the entrenchment called for quarter, which was granted—the rest retreating, were rallied at some distance, but only to make them a surer mark for the grape and cannister shot of our artillery, which, without exaggeration, mowed down whole ranks at every discharge: and at length they precipitately retired from the field.

Our right had only a short contest to sustain with a few rash men, who, fatally for themselves, forced their entrance into the unfinished redoubt on the river. They were quickly dispossessed, and this glorious day terminated with

a loss to the enemy of their commander in chief and one Major-General killed, another Major-General wounded, the most experienced and bravest of their officers, and more than three thousand men killed, wounded and missing, while our ranks, my friends, were thinned only by the loss of six of our brave companions, killed, and seven disabled by wounds—wonderful interposition of Heaven! unexampled event in the history of war!

Let us be grateful to the God of battles who has directed the arrows of indignation against our invaders, while he covered with his protecting shield the brave defenders of their country.

After this unsuccessful and disastrous attempt, their spirits were broken, their force was destroyed, and their whole attention was employed in providing the means of escape. This they have effected; leaving their heavy artillery in our power, and many of their wounded to our clemency. The consequences of this short, but decisive campaign, are incalculably important. The pride of our arrogant enemy humbled, his forces broken, his leaders killed, his insolent hopes of our disunion frustrated—his expectation of rioting in our spoils and wasting our country changed into ignominious defeat, shameful flight, and a reluctant acknowledgment of the humanity and kindness, of those whom he had doomed to all the horrors and humiliation of a conquered state.

On the other side, unanimity established, disaffection crushed, confidence restored, your country saved from conquest, your property from pillage, your wives and daughters from insult and violation\*—the union preserved from dismemberment, and perhaps a period put by this decisive stroke to a bloody and savage war. These, my brave friends, are the consequences of the efforts you have made, and the success with which they have been crowned by Heaven.

These important results have been effected by the united courage and perseverance of the army; but which the different corps as well as the individuals that compose it, vied with each other in their exertions to produce. The gratitude, the admiration of their country, offers a fairer re-

\* Previous to the attack Gen Packenham gave out for watchword, *Beauty and Booty*, and promised three days riot and plunder.

ward than that which any praises of the Gen. can bestow, and the best is that of which they can never be deprived, the consciousness of having done their duty, and of meriting the applause they will receive.

*Com. Decatur to the Secretary of the Navy.*

H. B. M. ship *Endymion*, at sea, Jan. 18, 1815,

SIR—The painful duty of detailing to you the particular causes which preceded and led to the capture of the late U. S. frigate *President* by a squadron of his Britannic majesty's ships\* has devolved upon me. In my communication of the 14th, I made known my intention of proceeding to sea on that evening. Owing to some mistake of the pilots, the ship in going out grounded on the bar, where she continued to strike heavily for an hour and a half; although she had broken several of her rudder braces, and had received such other material injury as to render her return into port desirable, I was unable to do so from the strong westerly wind which was then blowing. We shaped our course along the shore of Long-Island and for 50 miles, and then steered S. E. by E. At five o'clock, three ships were discovered ahead; we immediately hauled up the ship and passed two miles to the northward of them. At day light, we discovered four ships in chase, one on each quarter, and two astern, the leading ship of the enemy a razee—she commenced a fire upon us but without effect. At meridian the wind became light and baffling; we had increased our distance from the razee, but the next ship astern, which was also a large ship, had gained and continued to gain upon us considerably; we immediately occupied all hands to lighten ship. At 3, we had the wind quite light; the enemy who had now been joined by a brig, had a strong breeze, and were coming up with us rapidly. The *Endymion* (mounting 50 guns, 24 pounders on the main deck) had now approached us within gun shot and had commenced a fire with her bow guns, which we returned from our stern. At 5 o'clock, she had obtained a position on our starboard quarter, within half point blank shot, on which neither our stern nor quarter guns would bear; I remained with her in this position for half an

\* *Majestic razee, Endymion, Pomone, Tenedos, Dispatch (brig.)*

hour, in the hope that she would close with us on our broadside, in which case I prepared my crew to board, but from his continuing to yaw his ship to maintain his position, it became evident that to close was not his intention. Every fire now cut some of our sails or rigging. To have continued our course under these circumstances, would have been placing it in his power to cripple us, without being subject to injury himself, and to have hauled up more to the northward to bring our stern guns to bear, would have exposed us to his raking fire.

It was now dusk when I determined to alter my course south, for the purpose of bringing the enemy abeam, and although their ships astern were drawing up fast, I felt satisfied I should be enabled to throw him out of the combat before they could come up, and was not without hopes, if the night proved dark (of which there was every appearance) that I might still be enabled to effect my escape. Our opponent kept off at the same instant we did, and fire commenced at the same time. We continued engaged, steering south with steering sails set two hours and a half, when we completely succeeded in dismantling her. Previously to her dropping entirely out of the action, there were intervals of minutes, when the ships were broadside and broadside, and in which she did not fire a gun. At this period, half past 8 o'clock, although dark, the other ships of the squadron were in sight, and almost within gun shot. We were of course compelled to abandon her. In resuming our former course for the purpose of avoiding the squadron, we were compelled to present our stern to our antagonist—but such was his state, though we were thus exposed and within range of his guns for half an hour, that he did not avail himself of this favorable opportunity of raking us. We continued this course until 11 o'clock, when two fresh ships of the enemy (the *Pomone* and *Tenedos*) had come up. The *Pomone* had opened her fire on the larboard bow, within musket shot; the other about two cables' length astern, taking a raking position on our quarter; and the rest (with the exception of the *Eudymion*) within gun shot. Thus situated, with about one fifth of my crew killed and wounded, my ship crippled, and a more than four-fold force opposed to me, without a chance of escape left, I deemed it my duty to surrender.

It is with emotions of pride, I bear testimony to the gallantry and steadiness of every officer and man I had the honor to command on this occasion, and I feel satisfied that the fact of their having beaten a force equal to themselves, in the presence, and almost under the guns of vastly a superior force, when, too, it was almost self evident, that whatever their exertions might be, they must ultimately be captured, will be taken as evidence of what they would have performed, had the force opposed to them been in any degree equal.

For 24 hours after the action it was nearly calm, and the squadron were occupied in repairing the crippled ships. Such of the crew of the *President* as were not badly wounded, were put on board the different ships; myself and a part of my crew were put on board this ship. On the 17th we had a gale from the eastward, when this ship lost her bowsprit, fore and main-masts, and mizen top-mast, all of which were badly wounded, and was, in consequence of her disabled condition, obliged to throw overboard all her upper deck guns.

I have the honor to be, &c.

STEPHEN DECATUR.

AMERICAN LOSS.

Killed 24—wounded 55.

BRITISH LOSS.

Killed 15—wounded 28.

### BOYLE'S VICTORY.

*Capt. Boyle to Mr. George P. Stephenson.*

Privateer *Chasseur*, at sea, March 2, 1815.

[*Extract.*] SIR—I have the honor to inform you, that on the 26th of February being about six leagues to windward of Havanna, and two leagues from the land—at 11, A. M. discovered a schooner bearing N. E. of us, apparently running before the wind; made every possible sail in chase. At half past meridian I fired a gun and hoisted the American flag, to ascertain, if possible, the nation which she belonged to, but she shewed no colors. At 1, P. M. drawing up with him very fast, she fired a stern chase gun at us, and hoisted English colors, shewing at the same time only three ports in the side next to us.

Under the impression that she was a running vessel bound to Havanna, weakly armed and manned, I tried every effort to close with him as quick as possible. Saw very few men on his deck, and hastily made small preparation for action, though my officers, myself and men did not expect any fighting, of course we were not completely prepared for action. At 1, 26, we were within pistol shot of him when he opened a tier of ten ports on a side, and gave his broadside of round, grape and musket balls. I then opened the Chasseur's fire from the great guns and musketry, and endeavored to close with him for the purpose of boarding; we having quick way at this time, shot ahead of him under his lee; he put his helm up for the purpose of wearing across our stern and to give us a raking fire, which I prevented by timely taking notice of his intention, and putting our helm hard up also. He shot quick ahead, and I closed within ten yards of him; at this time both fires were heavy, severe, and destructive. I now found his men had been concealed under his bulwark, and that I had a heavy enemy to contend with, and at 1, 40, gave the order for boarding, which my brave officers and men cheerfully obeyed with unexampled quickness, instantly put the helm to starboard to lay him on board, and in the act of boarding her, she surrendered. She proved to be H. B. majesty's schooner *St. Lawrence*, commanded by Lieut. James E. Gordon, of 15 guns, 14 twelve pound carronades upon an improved construction, and a long nine; 75 men, and had on board a number of soldiers, marines, and some gentlemen of the navy passengers; having by report 15 killed and 28 wounded. I had 5 men killed and 8 wounded, myself amongst the latter, though very slightly. Thus ended the action in 15 minutes after its commencement, and about 8 minutes close quarters, with a force equal in every respect to our own.

The Chasseur mounts six 12 pounders, and eight short 9 pound carronades, (the latter taken from one of her prizes) ten of our 12 pound carronades having been thrown overboard while hard chased by the *Barrosa* frigate.

Yours with respect,

THOMAS BOYLE.

*Col. Scott to Governor Early.*

Great Satill river, February 28, 1815.

[*Extract*] SIR—I have the pleasure to inform you of a brilliant affair having taken place on the 24th inst. on the river St. Mary's, between a part of my detachment, 20 men, commanded by Capt. William Mickler, aided by about 30 of the Patriots of Florida, under Col. Dill, and 6 of the enemy's barges, containing about 250 men, which had attempted to proceed up the river to burn Mr. A. Clark's mills. The enemy were first attacked by the Patriots from the Florida shore, near Camp Pinckney, when the barges immediately tacked about to retreat, but our men being in ambush on this shore gave them a second reception, and thus the fire was kept up from both shores until they got into a greater extent of river than our riflemen could reach. The enemy lost 160 killed and wounded,—We had one man severely wounded through the body, and several received balls through their clothes, but no further injury.

WILLIAM SCOTT.

*Sailing master John Hurlburt to Com. Campbell.*

Gun Boat, No. 168, Cumberland Sound, March 18, 1815.

[*Extract.*] SIR—Proceeding with the despatch which you did me the honor to entrust to my care, I sailed from Tybee bar, at 1, P. M. on the 16th inst. wind N. E. steering south; at half past 3 descried a sail in the S. E. quarter, which we soon found to be a ship standing N. N. W. About 40 minutes after she fired a gun and hoisted her colors, the shot passing over our fore gaff; our colors were hoisted, continued our course for a few minutes, when another gun was fired; the shot passed abaft the main rigging over the lee quarter. Heaving his vessel too on the starboard tack, hailed me by saying, 'you damn'd rascal, if you don't lower your boat down and come on board immediately, I'll fire into you, I'll sink you, God damn you.' Seeing me in the act of taking in the square sail, 'why don't you heave too, God damn you, I'll sink you; I'll fire a broadside into you.' As soon as I could be heard I said, this is a U. States' vessel, from Savannah, with despatches for Admiral Cockburn. In the act of pronouncing the last words, a musket was fired at me, the ball pass-



ing near my shoulders, over the hand of the man at the helm, striking the water from 20 to 30 feet from the vessel. Putting the helm down, I again informed him of the character of the vessel, saying if you wish for further satisfaction you are at liberty to send your boat on board; he said, 'I don't care a damn for the despatches, nor Admiral Cockburn either; God damn them and the United States too; I'll fire a broadside into you and sink you, if you don't lower your boat down and come on board, you rascal.' Put about and run close under the ship's lee, saying, this is the U. States' gun vessel No. 168, with despatches for the Admiral off St. Mary's; if you doubt her being what she appears to be, you can send your boat on board. Turning to me, he says, 'God damn you, come on board or I'll sink you—I'll fire thunder into you.' I replied, 'if you do, I shall return your compliments with lightning.' At this time I received, if possible, a greater flood of vulgar abuse than before. I hove about, stood to windward of him, heaving too on his starboard quarter, with the starboard tacks on board; when a Lieutenant came alongside, and ordered me into the boat, saying, 'if you do not go on board, every one of you will be taken out and carried to Charleston.' Go on board and tell your commander that I shall not lower my boat, nor shall an officer or man leave the vessel but by force, showing him the paper for Admiral Cockburn. 'If you don't go on board, you'll be sunk as soon as I go on board; I advise you to go—I want no advice, (said I) I have the orders of my government by which I am governed; tell your commander that such trifling shall not pass with impunity. On the boat leaving us, the Captain of the ship said, 'won't the damned rascal come?' then come alongside and let me sink him; I'll fire a broadside into him.' On the boat's reaching the ship's side a gun was fired; the shot passing to leeward, through the mainsail, near the mast, cutting away one of the stays, going between the foremast and rigging; while he gave full vent to his vulgar abuse. I now saw every one of our little crew anxiously waiting the order to fire into the apparent enemy; but I considered that several lives would in all probability be lost, and the flag struck at last. Under these considerations, I fired a gun across his bows, as the vessels were lying, sunk the signals, and hauled the colors down. A

Lieutenant came on board, to whom I made a formal surrender of the vessel; he observed that he was only a Lieut. 'Send an officer on board, (I replied) the officers and men are your prisoners.' He ordered me on board the ship. On my arrival on board the ship, I was met by the Captain near the main mast, saying, 'this is his majesty's ship Erebus, Bartholomew, commander.' 'This is my sword, (I replied) that is the U. States gun vessel No. 168, which I surrender as your prize, myself, officers and crew as your prisoners.' He said again, 'how dare you refuse to come on board his majesty's ship when ordered?' 'I know not nor do I acknowledge any right you have to order me on board, or to interrupt me sailing along the American coast. I shall, however, make a fair representation of this most flagrant abuse of power on your part to my government. I very much regret that I have not the command of a vessel of 20 guns, which would save the trouble of demanding satisfaction at a future day, by taking it on the spot.' He said, 'I only wish to warn you off the coast; will you see my orders from the Admiral to warn all vessels from the coast?' 'As I am governed by the orders of my own government, I can have nothing to do with those of Admiral Cockburn.' He said 'I thought you might be from the Cape of Good Hope.' 'You could not believe any such thing, when you see she has no quarter, has not the appearance of having been at sea any length of time; her boats not stowed as if to remain long at sea; nor could you suppose that were I from a long cruise, I should run past the port of Savannah, thereby exposing my vessel to any British cruiser that might happen to be on the coast.' He then said, 'upon my honor, I believe it was an accident, but I am sure the last shot would not have been fired if you had not been trying to run away from me.' 'You could believe no such thing; you saw both jibs to windward, and the helm a-lee.' He said, 'upon my honor, I don't know whether it went off by accident or was fired; no orders were given to fire.' After walking the quarter-deck for a few minutes, returning, he said, 'will you see my orders to warn all vessels off the coast.' 'As I have nothing to do with them I can have no wish to see them.' 'If you think this will cause any dispute between the two governments, (said he) I will return with you to the Admiral and have it set-

ted.' I replied, 'I do not feel myself authorised in my present situation, to receive any satisfaction you may have in your power to offer for such a wilful insult offered to the U. States. I was then ordered on board, and proceeded with the despatches.

JOHN HURLBURD.

### STEWART'S VICTORY.

*Capt. Stewart to the Secretary of the Navy.*

U. S. frigate Constitution, May,—1815.

SIR—On the 20th of February last, the Island of Madeira bearing about W. S. W. distant 60 leagues, we fell in with his B. M's two ships of war, the Cyane and Levant; and brought them to action about 6 o'clock in the evening, both of which after a spirited engagement of 40 minutes, surrendered to the ship under my command.

Considering the advantages derived by the enemy, from a divided and more active force, as also their superiority in the weight and number of guns, I deem the speedy and decisive result of this action the strongest assurance which can be given to the government, that all did their duty, and gallantly supported the reputation of American seamen.

Inclosed is a list of the killed and wounded; also a statement of the actual force of the enemy, and the number killed and wounded on board their ships as near as could be ascertained.

I have the honor to be, &c.

CHARLES STEWART.

#### FORCE OF THE CONSTITUTION.

32 twenty-four pounders.—20 thirty-two pounders.—

52 guns. Officers, men and boys 466.

#### FORCE OF THE CYANE.

22 thirty-two pounders—10 eighteen do.—2 twelve do.—

2 brass swivels, 36 guns.—officers men and boys 180.

#### FORCE OF THE LEVANT.

18 thirty-two pounders—2 nine do.—1 twelve do. 21 guns.—officers, men and boys 156.

#### AMERICAN LOSS.

Killed 3—wounded 12.

#### BRITISH LOSS

Killed 35—wounded 39—prisoners 301.

## BIDDLE'S VICTORY.

*Capt, Biddle to Commodore Decatur.*

*U. S. S. Hornet, off Tristan'd Acunha, March 25, 1815.*

SIR—I have the honor to inform, that on the morning of the 23d inst. at half past ten, when about to anchor, off the north end of the island of Tristan'd Acunha, a sail was seen to the southward and eastward, steering to the westward, the wind fresh from the S. S. W. In a few minutes she had passed on to the westward so that we could not see her for the land. I immediately made sail to the westward, and shortly after getting sight of her again, perceived her to bear up before the wind. I hove too for him to come down to us.—When she had approached near, I filled the maintopsail, and continued to yaw the ship, while she continued to come down; wearing occasionally to prevent her passing under our stern. At 1 40 P. M. being nearly within musket shot distance, she hauled her wind on the starboard tack, hoisted English colors, and fired a gun. We immediately luffed too, hoisted our ensign and gave the enemy a broadside. The action being thus commenced, a quick and well directed fire was kept up from this ship, the enemy gradually drifting nearer to us, when at 1 55 he bore up, apparently to run us on board. As soon as I perceived he would certainly fall on board, I called the boarders so as to be ready to repel any attempt to board us. At the instant every officer and man repaired to the quarter deck, where the two vessels were coming in contact and eagerly pressed me to permit them to board the enemy: but this I would not permit, as it was evident from the commencement of the action that our fire was greatly superior both in quickness and in effect. The enemy's bowsprit came in between our main and mizen rigging, on our starboard side, affording him an opportunity to board us, if such was his design, but no attempt was made. There was a considerable swell on, and as the sea lifted us a head, the enemy's bowsprit carried away our mizen shrouds, stern davits, and spanker boom, and he hung upon our larboard quarter. At this moment an officer, who was afterwards recognized to be Mr. M'Donold, the first Lieut. and the then commanding officer, called out that they had surrendered. I directed the marines and musketry-men to cease firing, and, while on the taffrail asking if they had surrendered, I received a wound in the

neck. The enemy just then got clear of us, and his foremast and bowsprit being both gone, and perceiving us wearing to give him a fresh broadside, he again called out that he had surrendered. It was with difficulty I could restrain my crew from firing into him again as he had certainly fired into us after having surrendered. From the firing of the first gun, to the last time the enemy cried out he had surrendered, was exactly 22 minutes by the watch. She proved to be H. B. M. brig *Penguin*, mounting sixteen 32 lb carronades, two long 12's, a twelve lb carronade on the top gallant forecastle, with swivels on the capstern and in the tops. She had a spare port forward, so as to fight both her long guns of a side. She sailed from England in Sept. last. She is in all respects, a remarkably fine vessel of her class. The enemy acknowledge a complement of 182 men; 12 of them supernumerary marines from the *Medway* 74. They acknowledge, also, a loss of 14 killed, and 28 wounded; but Mr. Mayo, who was in charge of the prize, assures me that the number of killed was certainly greater. Among the killed is Capt. Dickenson, who fell at the close of the action, and the boatswain; among the wounded, is the second Lieut. purser, and two midshipmen. Each of the midshipmen lost a leg. Having removed the prisoners, and taken on board such provisions and stores as would be useful to us, I scuttled the *Penguin*, this morning before day-light, and she went down. As she was completely riddled by our shot, her foremast and bowsprit both gone, and her mainmast so crippled as to be incapable of being secured, it seemed unadvisable, at this distance from home, to attempt sending her to the U. States.

This ship did not receive a single round shot in her hull, nor any material wound in her spars! the rigging and sails were very much cut; but having bent a new suit of sails and knotted and secured our rigging, we are now completely ready, in all respects for any service. We were eight men short of complement, and had nine upon the sick list the morning of the action. Enclosed is a list of killed and wounded.

J. BIDDLE.

AMERICAN LOSS.

Killed, 1.—wounded, 11

BRITISH LOSS.

Killed 14.—Wounded, 28.

# APPENDIX.

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## OFFICIAL CORRESPONDENCE,

RELATIVE TO THE TREATY OF PEACE.

WASHINGTON, Oct. 10, 1814.

*To the Senate and House of Representatives of  
the U. States.*

I lay before congress communications just received from the Plenipotentiaries of the U. States, charged with negotiating peace with G. Britain ; shewing the conditions on which alone that government is willing to put an end to the war.

JAMES MADISON.

*The American Plenipotentiaries to the Secretary of state.*

GHENT, Aug. 12th, 1814.

SIR—We have the honor to inform you, that the British commissioners, lord Gambier, Henry Goulburn, Esq. and William Adams, Esq. arrived in this city on Saturday evening, the sixth inst. The day after their arrival, Mr. Baker, their Secretary, called upon us to give us notice of the fact, and to propose a meeting, at a certain hour, on the ensuing day. The place having been agreed upon, we accordingly met, at 1 o'clock, on Monday, the eighth inst.

We enclose, herewith, a copy of the full powers exhibited by the British commissioners, at that conference ; which was opened on their part by an expression of the sincere and earnest desire of their government, that the negotiation might result in a solid peace, honorable to both parties. They, at the same time declared, that no events which had occurred since the first proposal for this negotiation, had altered the pacific disposition of their government, or varied its views as to the terms upon which it was willing to conclude the peace.

We answered, that we heard these declarations with great satisfaction, and that our government had acceded to the proposal of negotiation, with the most sincere desire to put an end to the differences which divided the two countries, and to lay upon just and liberal grounds the foundation of a peace which securing the rights and interests of both nations, should unite them by lasting bonds of amity.

The British commissioners then stated the following subjects, as those upon which it appeared to them that the discussions would be likely to turn, and on which they were instructed.

1. The forcible seizure of mariners on board of merchant vessels, and in connection with it, the claim of his Britannic majesty to the allegiance of all the native subjects of G. Britain.

We understood them to intimate, that the British government did not propose this point as one which they were particularly desirous of discussing ; but that as it had occupied so prominent a place in the disputes between the two countries, it necessarily attracted notice and was considered as a subject which would come under discussion.

2. The Indian allies of G. Britain to be included in the pacification, and a definite boundary to be settled for their territory.

The British commissioners stated, that an arrangement upon this point was a *sine qua non* ; that they were not authorised to conclude a treaty of peace which did not embrace the Indians, as allies of his Britannic majesty ; and that the establishment of a definite boundary of the Indian territory was necessary to secure a permanent peace, not only with the Indians, but also between the U. States and G. Britain.

3. A revision of the boundary line between the U. States and the adjacent British colonies.

With respect to this point, they expressly disclaim any intention, on the part of their government, to acquire an increase of territory, and represented the proposed revision as intended merely for the purpose of preventing uncertainty and dispute.

After having stated these three points as subjects of discussion, the British commissioners added, that before they desired any answer from us, they felt it incumbent upon

them to declare, that the British government did not deny the right of the Americans to the fisheries generally, or in the open seas ; but that the privileges, formerly granted by treaty to the U. States of fishing within the limits of the British jurisdiction, and of landing and drying fish on the shores of the British territories, would not be renewed without an equivalent.

The extent of what was considered by them as waters peculiarly British, was not stated. From the manner in which they brought this subject into view, they seemed to wish us to understand that they were not anxious that it should be discussed, and that they only intended to give us notice that these privileges had ceased to exist, and would not again be granted without an equivalent, nor unless we thought proper to provide expressly in the treaty of peace for their renewal.

The British commissioners having stated that these were all the subjects which they intended to bring forward or to suggest, requested to be informed, whether we were instructed to enter into negotiation on these several points, and whether there was any amongst these which we thought it unnecessary to bring into the negotiation ? and they desired us to state, on our part, such other subjects as we might intend to propose for discussion in the course of the negotiation. The meeting was then adjourned to the next day, in order to afford us the opportunity of consultation among ourselves, before we gave an answer.

In the course of the evening of the same day, we received your letters of the 25th and 27th of June.

There could be no hesitation, on our part, in informing the British commissioners, that we were not instructed on the subjects of Indian pacification or boundary, and of fisheries. Nor did it seem probable, although neither of these points had been stated with sufficient precision in that first verbal conference, that they could be admitted in any shape.—We did not wish, however, to prejudge the result, or by any hasty proceeding abruptly to break off the negotiation. It was not impossible that, on the subject of the Indians, the British government had received erroneous impressions from the Indian traders in Canada, which our representations might remove: and it appeared, at all events, important, to ascertain distinctly the precise inten-



tions of G. Britain on both points. We, therefore, thought it advisable to invite the British commissioners to a general conversation on all the points ; stating to them, at the same time, our want of instructions on two of them, and holding out no expectation of the probability of our agreeing to any article respecting them.

At our meeting on the ensuing day we informed the British commissioners, that upon the first and third points proposed by them we were provided with instructions, and we presented as further subjects considered by our government as suitable for discussion :

1st. A definition of blockade ; and as far as might be mutually agreed, of other neutral and belligerent rights.

2d. Claims of indemnity in certain cases of capture and seizure.

We then stated that the two subjects, 1st of Indian pacification, and boundary, and 2d of fisheries, were not embraced by our instructions.

We observed, that as these points had not been heretofore the grounds of any controversy between the government of G. Britain and that of the U. States, and had not been alluded to by lord Castlereagh, in his letter proposing the negociation, it could not be expected that they should have been anticipated and made the subject of instructions by our government ; that it was natural to be supposed, that our instructions were confined to those subjects, upon which differences between the two countries were known to exist ; and that the proposition to define, in a treaty between the U. States and G. Britain, the boundary of the Indian possessions within our territories, was new and without example. No such provision had been inserted in the treaty of peace in 1783, nor in any other treaty between the two countries. No such provision had to our knowledge, ever been inserted in any treaty made by G. Britain or any European power in relation to the same description of people, existing under like circumstances. We would say, however, that it would not be doubted, that peace with the Indians would certainly follow a peace with G. Britain : that we had information that commissioners had already been appointed to treat with them ; that a treaty to that effect might, perhaps, have been already concluded : and that the U. States having no interest, nor any motive to continue a

separate war against the Indians, there could never be a moment when our government would not be disposed to make peace with them.

We then expressed our wish to receive from the British commissioners a statement of the views and objects of G. Britain upon all the points, and our willingness to discuss them all, in order that, even if no arrangement should be agreed on, upon the points not included in our instructions, the government of the U. States might be possessed of the entire and precise intentions of that of G. Britain, respecting these points, and that the British government might be fully informed of the objections, on the part of the U. States, to any such arrangement.

In answer to our remark that these points had not been alluded to by lord Castlereagh, in his letter proposing the negotiation, it was said, that it could not be expected, that in a letter merely intended to invite a negotiation, he should enumerate the topics of discussion, or state the pretensions of his government; since these would depend upon ulterior events, and might arise out of a subsequent state of things.

In reply to our observation, that the proposed stipulation of an Indian boundary was without example in the practice of European nations, it was asserted that the Indians must in some sort be considered as an independent people, since treaties were made with them, both by G. Britain and the U. States: upon which we pointed out the obvious and important differences between the treaties we might make with Indians, living in our territory, and such a treaty as was proposed to be made, respecting them, with a foreign power, who had solemnly acknowledged the territory on which they resided to be part of the U. States.

We were then asked by the British commissioners whether, in case they should enter further upon the discussion of the several points which had been stated, we could expect that it would terminate by some provisional arrangement on the points on which we had no instructions, particularly on that respecting the Indians, which arrangement would be subject to the ratification of our government?

We answered, that before the subjects were distinctly understood, and the objects in view more precisely disclosed, we could not decide whether it would be possible to form any satisfactory article on the subject; nor pledge

ourselves as to the exercise of a discretion under our powers, even with respect to a provisional agreement. We added, that as we should deeply deplore a rupture of the negotiation on any point, it was our anxious desire to employ all possible means to avert an event so serious in its consequences ; and that we had not been without hopes that a discussion might correct the effect of any erroneous information which the British government might have received on the subject which they had proposed as a preliminary basis.

We took this opportunity to remark, that no nation observed a policy more liberal and humane towards the Indians than that pursued by the U. States ; that our object had been, by all practicable means, to introduce civilization amongst them ; that their possessions were secured to them by well defined boundaries, that their persons, lands, and other property were now more effectually protected against violence or frauds from any quarter, than they had been under any former government ; that even our citizens were not allowed to purchase their lands ; that when they gave up their title to any portion of their country to the U. States, it was by a voluntary treaty with our government, who gave them a satisfactory equivalent ; and that through these means the U. States had succeeded in preserving, since the treaty of Greenville of 1795, an uninterrupted peace of sixteen years, with all the Indian tribes ; a period of tranquility much longer than they were known to have enjoyed heretofore.

It was then expressly stated on our part, that the proposition respecting the Indians, was not distinctly understood. We asked whether the pacification, and the settlement of a boundary for them were both made a *sine qua non*.—Which was answered in the affirmative. The question was then asked the British commissioners, whether the proposed Indian boundary was intended to preclude the U. States from the right of purchasing by treaty from the Indians, without the consent of G. Britain, lands laying beyond that boundary ? And as a restriction upon the Indians from selling by amicable treaties lands to the U. States, as had been hitherto practised ?

To this question, it was first answered by one of the commissioners, that the Indians would not be restricted

from selling their lands, but that the U. States would be restricted from purchasing them; and on reflection another of the commissioners stated, that it was intended that the Indian territory should be a barrier between the British dominions and those of the U. States, that both G. Britain and the U. States should be restricted from purchasing their lands; but the Indians might sell them to a third party.

The proposition respecting Indian boundary thus explained, and connected with the right of sovereignty ascribed to the Indians over the country, amounted to nothing less than a demand of the absolute cession of the rights both of sovereignty and of soil. We cannot abstain from remarking to you, that the subject (of Indian boundary) was indistinctly stated when first proposed, and that the explanations were at first obscure and always given with reluctance. And it was declared from the first moment, to be a *sine qua non*, rendering any discussion unprofitable until it was admitted as a basis. Knowing that we had no power to cede to the Indians any part of our territory, we thought it unnecessary to ask, what probably would not have been answered till the principle was admitted, where the line of demarkation of the Indian country was proposed to be established.

The British commissioners, after having repeated that their instructions on the subject of the Indians were peremptory, stated that unless we could give some assurance, that our powers would allow us to make at least a provisional arrangement on the subject, any further discussion would be fruitless, and that they must consult their own government on this state of things. They proposed accordingly a suspension of the conferences, until they should have received an answer, it being understood that each party might call a meeting whenever they had any proposition to submit. They dispatched a special messenger the same evening, and we are now waiting for the result.

Before the proposed adjournment took place, it was agreed that there should be a protocol of the conferences; that a statement should for that purpose be drawn up by each party, and that we should meet the next day to compare the statements. We accordingly met again on Wednesday the 10th inst. and ultimately agreed upon what

should constitute the protocol of the conferences. A copy of this instrument, we have the honor to transmit with this dispatch.

They objected to the insertion of the answer which they had given to our question respecting the effect of the proposed Indian boundary ; but they agreed to an alteration of their original proposition on that subject, which renders it much more explicit than as stated, either in the first conference or in their proposed draught of the protocol.— They also objected to the insertion of the fact, that they had proposed to adjourn the conferences, until they could obtain further instructions from their government. The return of their messenger may, perhaps, disclose the motive of their reluctance in that respect.

We have the honor to be, &c.

JOHN Q. ADAMS, | H. CLAY,  
J. A. BAYARD, | JONA. RUSSELL.

### PROTOCOL OF CONFERENCE.

*August 8, 1814.*

The British commissioners requested information whether the American commissioners were instructed to enter into negotiation on the preceding points ? But before they desired any answer, they felt it right to communicate the intentions of their government as to the North American fisheries, viz. That the British government did not intend to grant to the U. States, gratuitously, the privileges formerly granted by treaty to them, of fishing within the limits of the British sovereignty, and of using the shores of the British territories for purposes connected with the fisheries.

*August 9.*—The meeting being adjourned to the 9th of August, the commissioners met again on that day.

The American commissioners at this meeting stated, that upon the first and third points proposed by the British commissioners, they were provided with instructions from their government, and that the second and fourth of these points were not provided for in their instructions. That in relation to an Indian pacification, they knew that the government of the U. States had appointed commissioners to treat of peace with the Indians, and that it was not improbable that peace had been made with them.

The American commissioners presented as further subjects considered by the government of the U. States as suitable for discussion.

1. A definition of blockade, and as far as may be agreed, of other neutral and belligerent rights.

2. Certain claims of indemnity to individuals for captures and seizures preceding and subsequent to the war.

3. They further stated that there were various other points to which their instructions extended, which might with propriety be objects of discussion, either in the negotiation of the peace, or in that of a treaty of commerce, which in the case of a propitious termination of the present conferences, they were likewise authorised to conclude. That for the purpose of facilitating the first and most essential object of peace, they had discarded every subject which was not considered as peculiarly connected with that, and presented only those points which appeared to be immediately relevant to this negotiation.

The American commissioners expressed their wish to receive from the British commissioners a statement of the views and objects of G. Britain, upon all the points, and their willingness to discuss them all.

They, the American commissioners were asked, whether, if those of G. Britain should enter further upon this discussion, particularly respecting the Indian boundary, the American commissioners could expect that it would terminate by some provisional arrangement, which they could conclude, subject to the ratification of their government?

They answered, that as any arrangement to which they could agree upon the subject must be without specific authority from their government, it was not possible for them, previous to discussion, to decide whether any article on the subject could be formed which would be mutually satisfactory, and to which they should think themselves, under their discretionary powers, justified in acceding.

*The American Commissioners to the Secretary of State.*

GHENT, August 19, 1814.

SIR—Mr. Baker, secretary to the British mission, called upon us to-day, at 1 o'clock, and invited us to a conference to be held at three. This was agreed to, and the British commissioners opened it, by saying that they had

received their further instructions this morning, and had not lost a moment in requesting a meeting for the purpose of communicating the decision of their government. It is proper to notice that lord Castlereagh had arrived last night in this city, whence, it is said, he will depart to-morrow on his way to Brussels and Vienna.

The British commissioners stated that their government had felt some surprise, that we were not instructed respecting the Indians, as it could not have been expected that they would leave their allies, in their comparatively weak situation, exposed to our resentment. Great-Britain might justly have supposed that the American government would have furnished us with instructions authorising us to agree to a positive article on the subject ; but, the least she could demand was that we should sign a provisional article admitting the principal subject to the ratification of our government ; so that, if it should be ratified, the treaty should take effect ; and, if not, that it should be null and void ; on our assent or refusal to admit such an article would depend the continuance or suspension of the negotiation.

As we had represented that the proposition made by them, on that subject, was not sufficiently explicit, their government had directed them to give us every necessary explanation, and to state distinctly the basis which must be considered as an indispensable preliminary.

It was a *sine qua non* that the Indians should be included in the pacification, and, as incident thereto, that the boundaries of their territory should be permanently established. Peace with the Indians was a subject so simple, as to require no comment. With respect to the boundaries which was to divide their territory from that of the U. States, the object of the British government was, that the Indians should remain as a permanent barrier between our western settlements, and the adjacent British provinces, to prevent them from being conterminous to each other : and that neither the U. States, nor G. Britain, should ever hereafter have the right to purchase, or acquire any part of the territory thus recognized, as belonging to the Indians.— With regard to the extent of the Indian territory, and the boundary line, the British government would propose the lines of the Greenville treaty, as a proper basis, subject, however, to discussion and modifications.

We stated that the Indian territory, according to these lines, would comprehend a great number of American citizens ; not less, perhaps, than a hundred thousand : and asked, what was the intention of the British government respecting them, and under whose government they would fall ? It was answered that those settlements would be taken into consideration, when the line became a subject of discussion ; but that such of the inhabitants, as would ultimately be included within the Indian territory, must make their own arrangements and provide for themselves.

The British commissioners here said that, considering the importance of the question we had to decide, (that of agreeing to a provisional article) their government had thought it right, that we should also be fully informed of its views, with respect to the proposed revision of the boundary line, between the dominions of G. Britain and the U. States.

1st. Experience had proved that the joint possession of the lakes, and a right common to both nations, to keep up a naval force on them, necessarily produced collisions, and rendered peace insecure. As G. Britain could not be supposed to expect to make conquest in that quarter, and as that province was essentially weaker than the U. States, and exposed to invasion, it was necessary, for its security, that G. Britain should require that the U. States should hereafter keep no armed naval force on the Western Lakes, from Lake Ontario to Lake Superior, both inclusive ; that they should not erect any fortified or military post or establishment on the shores of those lakes ; and that they should not maintain those which were already existing. This must, they said, be considered as a moderate demand, since G. Britain, if she had not disclaimed the intention of any increase of territory, might with propriety have asked a cession of the adjacent American shores. The commercial navigation and intercourse would be left on the same footing as heretofore. It was expressly stated, (in answer to a question we asked,) that G. Britain was to retain the right of having an armed naval force on those lakes, and of holding military posts and establishments on their shores.

2. The boundary line west of Lake Superior, and thence to the Mississippi, to be revised and the treaty right of G. Britain to the navigation of the Mississippi, to be continued.



When asked, whether they did not mean the line from the Lake of the Woods to the Mississippi, the British commissioners repeated that they meant the line from lake Superior, to that river.

3. A direct communication from Halifax and the province of New-Brunswick to Quebec, to be secured to G. Britain. In answer to our question, in what manner this was to be effected, we were told that it must be done by a cession to G. Britain of that portion of the district of Maine (in the state of Massachusetts) which intervenes between New-Brunswick and Quebec, and prevents that direct communication.

Reverting to the proposed provisional article, respecting the Indian pacification and boundary, the British commissioners concluded by stating to us, that if the conferences should be suspended by our refusal to agree to such an article, without having obtained further instructions from our government, G. Britain would not consider herself bound to abide by the terms which she now offered, but would be at liberty to vary and regulate her demands according to subsequent events, and in such manner as the state of the war, at the time of renewing the negotiation, might warrant.

We asked whether the statement made, respecting proposed revision of the boundary line between the U. States and the dominions of G. Britain, embraced all the objects she meant to bring forward for discussion, and what were, particularly, her views with respect to Moose Island, and such other islands in the bay of Passamaquaddy, as had been in our possession till the present war, but had been lately captured? We were answered, that those Islands belonging of right to G. Britain, (as much so, one of the commissioners said, as Northamptonshire,) they would certainly be kept by her; and were not even supposed to be an object of discussion.

From the forcible manner in which the demand, that the U. States should keep no naval armed force on the lakes, nor any military post on their shores, has been brought forward, we were induced to inquire whether this condition was also meant as a *sine qua non*? To this the British commissioners declined giving a positive answer. They said that they had been sufficiently explicit; that they had given

us one *sine qua non*, and when we had disposed of that, it would be time enough to give us an answer as to another.

We then stated that, considering the nature and importance of the communication made this day, we wished the British commissioners to reduce their proposals to writing, before we gave them an answer; this they agreed to, and promised to send us an official note without delay.

We need hardly say that the demands of G. Britain will receive from us an unanimous and decided negative. We do not deem it necessary to detain the John Adams for the purpose of transmitting to you the official notes which may pass on the subject and close the negotiation. And we have felt it our duty immediately to apprise you, by this hasty, but correct sketch of our last conference, that there is not at present, any hope of peace.

We have the honor to be, &c.

JOHN Q. ADAMS,	H. CLAY,
J. A. BAYARD,	JONA. RUSSELL.
A. GALLATIN,	

*Note of the British commissioners. (Received after the above letter was written.)*

The undersigned, Plenipotentiaries of his Britannic majesty, do themselves the honor of acquainting the Plenipotentiaries of the U. States, that they have communicated to their court the result of the conference which they had the honor of holding with them upon the 9th inst. in which they stated, that they were unprovided with any specific instructions, as to comprehending the Indian nations in a treaty of peace to be made with G. Britain, and as to defining a boundary to the Indian territory.

The undersigned are instructed to acquaint the Plenipotentiaries of the U. States, that his majesty's government having at the outset of the negotiation, with a view to the speedy restoration of peace reduced as far as possible the number of points to be discussed, and having professed themselves willing to forego on some important topics any stipulation to the advantage of G. Britain, cannot but feel some surprise that the government of the U. States should not have furnished their Plenipotentiaries with instructions upon those points which could hardly fail to come under discussion.

Under the inability of the American Plenipotentiaries, to conclude any article upon the subject of Indian pacification and Indian boundary, which shall bind the government of the U. States, his majesty's government conceive that they cannot give a better proof of their sincere desire for the restoration of peace, than by professing their willingness to accept a provisional article upon these heads, in the event of the American Plenipotentiaries considering themselves authorized to accede to the general principles, upon which such an article ought to be founded. With a view to enable the American Plenipotentiaries to decide, how far the conclusion of such an article is within the limit of their general discretion, the undersigned are directed to state, fully and distinctly, the basis upon which alone G. Britain sees any prospect of advantage in the continuance of the negociations at the present time.

The undersigned have already had the honor of stating to the American Plenipotentiaries, that in considering the points above referred to, as a *sine qua non* of any treaty of peace, the view of the British government is the permanent tranquility and security of the Indian nations, and the prevention of those jealousies and irritations, to which the frequent alteration of the Indian limits has heretofore given rise.

For this purpose it is indispensably necessary, that the Indian nations who have been during the war in alliance with G. Britain, should, at the termination of the war, be included in the pacification.

It is equally necessary, that a definite boundary should be assigned to the Indians, and that the contracting parties should guarantee the integrity of their territory, by a mutual stipulation, not to acquire by purchase, or otherwise, any territory within the specified limits. The British government are willing to take, as the basis of an article on this subject, those stipulations of the treaty of Greenville, subject to modifications, which relate to a boundary line.

As the undersigned are desirous of stating every point in connection with the subject, which may reasonably influence the decision of the American Plenipotentiaries in the exercise of their discretion, they avail themselves of this opportunity to repeat what they already stated, that G. Britain desires the revision of the frontier between her

North American dominions and those of the U. States, not with any view to an acquisition of territory, as such, but for the purpose of securing her possessions, and preventing future disputes.

The British government, consider the lakes from lake Ontario to lake Superior, both inclusive, to be the natural military frontier of the British possessions in North America. As the weaker power on the North American continent, the least capable of acting offensively, and the most exposed to sudden invasions, G. Britain considers the military occupation of these lakes as necessary to the security of her dominions. A boundary line equally dividing these waters, with a right to each nation to arm, both upon the lakes and upon their shores, is calculated to create a contest for naval ascendancy in peace as well as in war. The power which occupies these lakes should, as a necessary result, have the military occupation of both shores.

In furtherance of this object the British government is prepared to propose a boundary. But as this might be misconstrued as an intention to extend their possessions to the southward of the lakes, which is by no means the object they have in view, they are disposed to leave the territorial limits undisturbed, and as incident to them, the free commercial navigation of the lakes, provided that the American government will stipulate not to maintain or construct, any fortifications upon, or within a limited distance of the shores, or maintain or construct any armed vessel upon the lakes in question, or in the rivers which empty themselves into the same.

If this can be adjusted, there will then remain for discussion the arrangement of the north western boundary between lake Superior and the Mississippi, the free navigation of that river, and such a vacation of the line of frontier as may secure a direct communication between Quebec and Halifax.

The undersigned trust, that the full statement which they have made of the views and objects of the British government in requiring the pacification of the Indian nations, and a permanent limit to their territories, will enable the American Plenipotentiaries to conclude a provisional article upon the basis above stated. Should they feel it necessary to refer to the government of the U. States for

APPENDIX.

Instructions, the undersigned feel it incumbent upon to acquaint the American Plenipotentiaries, that the government cannot be precluded by any thing that has passed from varying the terms at present proposed, in such a manner, as the state of war, at the time of resuming the conferences, may in their judgment render advisable.

The undersigned avail themselves of this occasion to renew to the Plenipotentiaries of the U. States, the assurance of their high consideration.

GAMBIER,  
H. GOULBURN,  
W. ADAMS.

*Ghent, August 19, 1814.*

*The American to the British Commissioners.*

GHENT, August 24, 1814.

The undersigned, ministers plenipotentiary and extraordinary from the United States of America, have given to the official note which they have had the honor of receiving from his Britannic majesty's Plenipotentiaries the deliberate attention which the importance of its contents required, and have now that of transmitting to them their answer on the several points to which it refers.

They would present to the consideration of the British Plenipotentiaries, that lord Castlereagh, in his letter of the 4th of November 1813, to the American Secretary of State, pledges the faith of the British government that 'they were willing to enter into discussion with the government of America for the conciliatory adjustment of the differences subsisting between the two states, with an earnest desire on their part to bring them to a favorable issue, upon principles of perfect reciprocity, not inconsistent with the established maxims of public law, and the maritime rights of the British empire.' This fact alone might suffice to shew, that it ought not to have been expected that the American government, in acceding to this proposition, should have exceeded its terms, and furnished the undersigned with instructions authorising them to treat with the British Plenipotentiaries respecting Indians situated within the boundaries of the U. States. That such expectation was not entertained by the British government might also have been inferred from the explicit assurances which the British

Plenipotentiaries gave, on the part of their government, at the first conference which the undersigned had the honor of holding with them, that no events, subsequent to the first proposal for this negotiation, had, in any manner, varied either the disposition of the British government, that it might terminate in a peace honorable to both parties, or the terms upon which they would be willing to conclude it.

It is well known that the differences which unhappily subsist between G. Britain and the U. States, and which ultimately led to the present war, were wholly of a maritime nature, arising principally from the British Orders in Council, in relation to blockades, and from the impressment of mariners from on board of American vessels.—The boundary of the Indian territory had never been a subject of difference between the two countries. Neither the principles of reciprocity, the maxims of public law, nor the maritime rights of the British empire, could require the permanent establishment of such a boundary. The novel pretensions now advanced could no more have been anticipated by the government of the U. States, in forming instructions for this negotiation, than they seem to have been contemplated by that of G. Britain in November last, in proposing it. Lord Castlereagh's note makes the termination of the war to depend on a conciliatory adjustment of the differences then subsisting between the two states, and in no other condition whatever.

Nor could the American government have foreseen that G. Britain in order to obtain peace for the Indians, residing within the dominions of the U. States, whom she had induced to take part with her in the war, would demand that they should be made parties to the treaty between the two nations, or that the boundaries of their lands should be permanently and irrevocably fixed by that treaty. Such a proposition is contrary to the acknowledged principles of public law, and the practice of all civilized nations, particularly of G. Britain and of the U. States. It is not founded on reciprocity. It is unnecessary for the attainment of the object which it professes to have in view.

No maxim of public law has hitherto been more universally established among the powers of Europe possessing territories in America, and there is none to which G. Britain has more uniformly and inflexibly adhered, than that

of suffering no interposition of a foreign power in the relations between the acknowledged sovereign of the territory, and the Indians situated upon it. Without the admission of this principle, there would be no intelligible meaning attached to stipulations establishing boundaries between the dominions in America, of civilized nations possessing territories inhabited by Indian tribes.—Whatever may be the relations of Indians to the nation in whose territory they are thus acknowledged to reside, they cannot be considered as an independent power by the nation which has made such acknowledgment.

The territory of which G. Britain wishes now to dispose, is within the dominions of the U. States, was solemnly acknowledged by herself in the treaty of peace of 1783, which established their boundaries, and by which she relinquished all claim to the government, propriety, and territorial rights within these boundaries. No condition respecting the Indians residing therein, was inserted in that treaty. No stipulation similar to that now proposed is to be found in any treaty made by G. Britain, or within the knowledge of the undersigned, by any other nation.

The Indian tribes for which G. Britain proposes now to stipulate, have, themselves, acknowledged this principle. By the Greenville treaty of 1795, to which the British plenipotentiaries have here alluded, it is expressly stipulated, and the condition has been confirmed by every subsequent treaty, so late as the year 1810, 'That the Indian tribes shall quietly enjoy their lands, hunting, planting, and dwelling thereon, so long as they please, without any molestation from the U. States: but that when those tribes, or any of them, shall be disposed to sell their lands, they shall be sold only to the U. States: that until such sale, the U. States will protect all the said Indian tribes in the quiet enjoyment of their lands against all citizens of the U. States, and against all other white persons who intrude on the same, and that the said Indian tribes again acknowledge themselves to be under the protection of the said U. States, and of no other power whatever.'

That there is no reciprocity in the proposed stipulation is evident. In prohibiting G. Britain and the U. States from purchasing lands within a part of the dominions of the latter power, while it professes to take from G. Britain

a privilege which she had not, it actually deprives the U. States of a right exclusively belonging to them.

The proposition is utterly unnecessary for the purpose of obtaining a pacification for the Indians residing within the territories of the U. States. The undersigned have already had the honor of informing the British Plenipotentiaries, that, under the system of liberal policy adopted by the U. States in their relations with the Indians within their territories, an uninterrupted peace had subsisted from the year 1795, not only between the U. States and all those tribes, but also amongst those tribes themselves for a longer period of time than ever had been known since the first settlement of North America. Against those Indians the U. States have neither interest nor inclination to continue the war. They have nothing to ask of them but peace. Commissioners on their part have been appointed to conclude it, and an armistice was actually made last autumn with most of those tribes. The British government may again have induced some of them to take their side in the war, but peace with them will necessarily follow immediately a peace with G. Britain. To a provisional article similar to what has been stipulated in some former treaties, engaging that each party will treat for the Indians within its territories, include them in the peace, and use its best endeavors to prevent them from committing hostilities against the citizens or subjects of the other party, the undersigned might assent, and rely on the approbation and ratification of their government. They would also for the purpose of securing the duration of peace, and to prevent collisions which might interrupt it, propose a stipulation which should preclude the subjects or citizens of each nation, respectively, from trading with the Indians residing within the territory of the other. But to surrender both the rights of sovereignty and of soil over nearly one third of the territorial dominions of the U. States to a number of Indians not probably exceeding twenty thousand, the undersigned are so far from being instructed or authorized, that any arrangement for that purpose would be instantaneously rejected by their government.

Not only has this extraordinary demand been made a *sine qua non*, to be admitted without a discussion, and as a preliminary basis; but it is accompanied by others



equally inadmissible, which the British Plenipotentiaries state to be so connected with it, that they may reasonably influence the decision of the undersigned upon it, yet leaving them uninformed how far these other demands may also be insisted on as indispensable conditions of a peace.

As little are the undersigned instructed or empowered to accede to the propositions of the British government, in relation to the military occupation of the western lakes. If they have found the proposed interference of G. Britain in the concerns of Indians residing within the U. States utterly incompatible with any established maxim of public law, they are no less at a loss to discover by what rule of perfect reciprocity the U. States can be required to renounce their equal right of maintaining a naval force upon those lakes, and of fortifying their own shores, while G. Britain reserves exclusively the corresponding rights to herself. That in point of military preparation, G. Britain in her possessions in North America, ever has been in a condition to be termed, with propriety, the weaker power in comparison with the U. States, the undersigned believe to be incorrect in point of fact. In regard to the fortification of the shores, and to the forces actually kept on foot upon those frontiers, they believe the superiority to have always been on the side of G. Britain. If the proposal to dismantle the forts upon her shores, strike for ever her military flag upon her lakes, and lay her whole frontier defenceless in the presence of her armed and fortified neighbor, had proceeded not from G. Britain to the U. States, but from the U. States to G. Britain, the undersigned may safely appeal to the bosoms of his Britannic majesty's Plenipotentiaries for the feelings with which, not only in regard to the interests, but the honor of their nation, they would have received such a proposal. What would G. Britain herself say, if in relation to another frontier, where she has the acknowledged superiority of strength, it were proposed that she should be reduced to a condition even of equality with the U. States.

The undersigned further perceive that under the alledged purpose of opening a direct communication between two of the British provinces in America, the British government require a cession of territory forming a part of one of the states of the American union, and that they propose, without purpose specifically alledged, to draw the boundary

line westward, not from the lake of the Woods, as it now is, but from lake Superior. It must be perfectly immaterial to the U. States, whether the object of the British government, in demanding the dismemberment of the U. States is to acquire territory, as such, or for purposes less liable, in the eyes of the world, to be ascribed to the desire of aggrandizement. Whatever the motive may be, and with whatever consistency views of conquest may be disclaimed, while demanding for herself, or for the Indians, a cession of territory more extensive than the whole island of Great-Britain, the duty marked out for the undersigned is the same. They have no authority to cede any part of the territory of the U. States, and to no stipulation to that effect will they subscribe.

The conditions proposed by G. Britain have no relation to the subsisting differences between the two countries: they are inconsistent with acknowledged principles of public law; they are founded neither on reciprocity nor on any of the usual bases of negotiation, neither on that of *uti possidetis*, or of *status ante bellum*: they would inflict the most vital injury on the U. States, by dismembering their territory, by arresting their natural growth and increase of population, and by leaving their northern and western frontier equally exposed to British invasion and to Indian aggression; they are, above all, dishonorable to the U. States, in demanding from them to abandon territory and a portion of their citizens, to admit a foreign interference in their domestic concerns, and to cease to exercise their natural rights on their own shores and in their own waters. A treaty concluded on such terms would be but an armistice. It cannot be supposed that America would long submit to conditions so injurious and degrading. It is impossible, in the natural course of events, that she should not, at the first favorable opportunity, recur to arms, for the recovery of her territory, of her rights, of her honor. Instead of settling existing differences, such a peace would only create new causes of war, sow the seeds of a permanent hatred, and lay the foundation of hostilities for an indefinite period.

Essentially pacific from her political institutions, from the habits of her citizens, from her physical situation, America reluctantly engaged in the war. She wishes for

peace ; but she wishes for it upon those terms of reciprocity, honorable to both countries, which can alone render it permanent. The causes of the war between the U. States and G. Britain having disappeared by the maritime pacification of Europe, the government of the U. States does not desire to continue it, in defence of abstract principles, which have for the present, ceased to have any practical effect. The undersigned have been accordingly instructed to agree to its termination, both parties restoring whatever territory they may have taken, and both reserving all their rights, in relation to their respective seamen. To make the peace between the two nations solid and permanent, the undersigned were also instructed, and have been prepared to enter into the most amicable discussion of all those points on which differences or uncertainty had existed, and which might hereafter tend in any degree whatever to interrupt the harmony of the two countries, without, however, making the conclusion of the peace at all depend upon a successful result of the discussion.

It is, therefore, with deep regret, that the undersigned have seen that other views are entertained by the British government, and that new and unexpected pretensions are raised, which, if persisted in, must oppose an insuperable obstacle to a pacification. It is not necessary to refer such demands to the American government for its instruction. They will only be a fit subject of deliberation, when it becomes necessary to decide upon the expediency of an absolute surrender of national independence.

The undersigned request the British Plenipotentiaries to accept the assurance of their high esteem.

JOHN Q. ADAMS, | JONA. RUSSELL,  
J. A. B. YARD, | A. GALLATIN.  
H. CLAY,

*The British to the American Commissioners.*

Ghent, Sept. 4, 1814.

The undersigned have the honor to acknowledge the receipt of the note of the American Plenipotentiaries, dated the 24th ultimo.

It is with unfeigned regret that the undersigned observe, both in the tone and substance of the whole note, so little proof of any disposition on the part of the government of the U. States to enter into an amicable discussion of the

several points submitted by the undersigned in their former communication. The undersigned are perfectly aware, that in bringing forward those points for consideration, and stating with so much frankness, as they did, the views with which they were proposed, they departed from the usual course of negotiating, by disclosing all the objects of their government, while those which the American government had in view were withheld : but in so doing they were principally actuated by a desire of bringing the negotiation as soon as possible to a favorable termination, and in some measure by their willingness to comply with the wishes expressed by the American Plenipotentiaries themselves.

It is perfectly true that the war between his majesty and the U. States, was declared by the latter power upon the pretence of maritime rights alledged to be asserted by G. Britain, and disputed by the U. States.

If the war thus declared by the U. States had been carried on by them for objects purely of a maritime nature, or if the attack which has been made on Canada had been for the purpose of diversion, or the way of defence against the British forces in that quarter, any question as to the boundaries of Canada, might have been considered as unnecessary ; but it is notorious to the whole world that the conquest of Canada, and its permanent annexation to the U. States, was the declared object of the American government. If in consequence of a different course of events on the continent of Europe, his majesty's government had been unable to reinforce the British armies in Canada, and the U. States had obtained a decided superiority in that quarter, is there any person who doubts that they would have availed themselves of their situation to obtain on the side of Canada important cessions of territory, if not the entire abandonment of that country by G. Britain? Is the American government to be allowed to pursue, so far as its means will enable it, a system of acquisition and aggrandizement to the extent of annexing entire provinces to their dominions, and is his majesty to be precluded from availing himself of his means, so far as they will enable him, to retain those points which the valor of British arms may have placed in his power, because they happen to be situated within the territories allotted under former treaties to the government of the U. States?

Such a principle of negotiation was never avowed antecedent to that of the revolutionary government of France.

If the policy of the U. States had been essentially pacific, as the American Plenipotentiaries assert it ought to be, from their political institutions, from the habits of their citizens, and from their physical situation, it might not have been necessary to propose the precautionary provisions now under discussion. That, of late years at least, the American government have been influenced by a very different policy : by a spirit of aggrandizement not necessary to their own security, but increasing with the extent of their empire, has been too clearly manifested by their progressive occupation of the Indian territories ; by the acquisition of Louisiana : by the more recent attempt to wrest by force of arms from a nation in amity, the two Floridas : and, lastly, by the avowed intention of permanently annexing the Canadas to the U. States.

If, then, the security of the British North American dominions requires any sacrifices on the part of the U. States, they must be ascribed to the declared policy of that government in making the war not one of self defence, nor for the redress of grievances, real or pretended, but a part of a system of conquest and aggrandizement.

The British government in its present situation, is bound in duty to endeavor to secure its North American dominions against those attempts at conquest, which the American government have avowed to be a principle of their policy, and which as such will undoubtedly be renewed, whenever any succeeding war between the two countries shall afford a prospect of renewing them with success.

The British Plenipotentiaries proposed that the military possession of the lakes, from lake Ontario to lake Superior, should be secured to G. Britain, because the command of those lakes would afford to the American government the means of commencing a war in the heart of Canada, and because the command of them, on the part of G. Britain, has been shewn by experience to be attended with no insecurity to the U. States.

When the relative strength of the two powers in North America is considered, it should be recollected that the British dominions in that quarter do not contain a population of five hundred thousand souls, whereas the territory of

the U. States contains a population of more than seven millions ; that the naval resources of the U. States are at hand for attack, and that the naval resources of G. Britain are on the other side of the Atlantic.

The military possession of those lakes is not, therefore, necessary for the protection of the U. States.

The proposal for allowing the territories on the southern banks of the lakes above mentioned to remain in the possession of the government of the U. States, provided no fortifications should be erected on the shores, and no armament permitted on the waters, has been made, for the purpose of manifesting, that security and not acquisition of the territory is the object of the British government, and that they have no desire to throw obstacles in the way of any commerce which the people of the U. States may be desirous of carrying on upon the lakes in time of peace.

The undersigned, with the anxious wish to rectify all misunderstanding, have thus more fully explained the grounds upon which they brought forward the propositions contained in their former note respecting the boundaries of the British dominions in North America.

They do not wish to insist upon them beyond what the circumstances may fairly require. They are ready, amicably to discuss the details of them with a view to the adoption of any modifications which the American Plenipotentiaries, or their government, may have to suggest, if they are not incompatible with the object itself.

With respect to the boundary of the district of Maine, and that of the north western frontier of the U. States, the undersigned were not prepared to anticipate the objections contained in the note of the American Plenipotentiaries, 'that they were instructed to treat for the revision of their boundary lines,' with the statement which they have subsequently made, that they had no authority to cede any part, however insignificant, of the territories of the U. States, although the proposal left it open to them to demand an equivalent for such cession either in frontier or otherwise.

The American Plenipotentiaries must be aware that the boundary of the District of Maine has never been correctly ascertained ; that the one asserted at present by the American government, by which the direct communication between Halifax and Quebec becomes interrupted, was not

in contemplation of the British Plenipotentiaries who concluded the treaty of 1783, and that the greater part of the territory in question is actually unoccupied.

The undersigned are persuaded that an arrangement on this point might be easily made, if entered into with the spirit of conciliation, without any prejudice to the interests of the district in question.

As the necessity of fixing some boundary for the north western frontier has been mutually acknowledged, a proposal for a discussion on that subject cannot be considered as a demand for a cession of territory, unless the U. States are prepared to assert that there is no limit to their territories in that direction, and that availing themselves of the geographical error upon which that part of the treaty of 1783 was founded, they will acknowledge no boundary whatever, then unquestionably any proposition to fix one, be it what it may, must be considered as demanding a large cession of territory from the U. States.

Is the American government prepared to assert such an unlimited right, so contrary to the evident intention of the treaty itself? Or, is his majesty's government to understand that the American Plenipotentiaries are willing to acknowledge the boundary from the lake of the Woods to the Mississippi (the arrangement made by a convention in 1803, but not ratified) as that by which their government is ready to abide?

The British Plenipotentiaries are instructed to accept favorably such a proposition, or to discuss any other line of boundary which may be submitted for consideration.

It is with equal astonishment and regret the undersigned find that the American Plenipotentiaries have not only declined signing any provisional article, by which the Indian nations who have taken part with G. Britain in the present contest may be included in the peace, and may have a boundary assigned to them, but have also thought proper to express surprise at any proposition on the subject having been advanced.

The American Plenipotentiaries state, that their government could not have expected such a discussion, and appear resolved, at once, to reject any proposition on this head; representing it as a demand contrary to the acknowledged principles of public law, tantamount to a cession of

one third of the territorial dominions of the U. States, and required to be admitted without discussion.

The proposition which is thus represented is, that the Indian nations, which have been during the war in alliance with G. Britain, should at its termination be included in the pacification; and with a view to their permanent tranquillity and security, that the British government is willing to take as a basis of an article on the subject of a boundary for those nations, the stipulations which the American government contracted in 1795, subject, however, to modifications.

After the declaration, publicly made to those Indian nations by the Governor Gen. of Canada, that G. Britain would not desert them, could the American government really persuade itself that no proposition relating to those nations would be advanced, and did lord Castlereagh's note of the 4th Nov. 1813, imply so great a sacrifice of honor, or exclude from discussion every subject, except what immediately related to the maritime questions referred to in it?

When the undersigned assured the American Plenipotentiaries of the anxious wish of the British government that the negotiation might terminate in a peace honorable to both parties, it could not have been imagined that the American Plenipotentiaries would thence conclude, that his majesty's government was prepared to abandon the Indian nations to their fate, nor could it have been foreseen that the American government would have considered it as derogatory to its honor to admit a proposition by which the tranquillity of these nations might be secured.

The treaty of Greenville established the boundaries between the U. States and the Indian nations. The American Plenipotentiaries must be aware, that the war which has since broken out, has abrogated that treaty. Is it contrary to the established principles of public law for the British government to propose, on behalf of its allies, that this treaty, shall on the pacification, be considered subject to such modifications as the case may render necessary? Or is it unreasonable to propose, that this stipulation should be amended, and that on that foundation some arrangement should be made which would provide for the existence of a neutral power between G. Britain and the United



States, calculated to secure to both a longer continuance of the blessings of peace?

So far was that specific proposition respecting the Indian boundaries from being insisted upon in the note, or in the conference which preceded it, as one to be admitted without discussion, that it would have been difficult to use terms of greater latitude, or which appeared more adapted, not only not to preclude but to invite discussion.

If the basis proposed could convey away one third of the territory of the U. States, the American government itself must have conveyed it away by the Greenville treaty of 1795.

It is impossible to read that treaty without remarking how inconsistent the present pretensions of the American government are, with its preamble and provisions. The boundary line between the lands of the U. States and those of the Indian nations, is therein expressly defined. The general character of the treaty, is that of a treaty with independent nations; and the very stipulation which the American Plenipotentiaries refer to, that the Indian nations should sell their lands only to the U. States, tends to prove that, but for that stipulation, the Indians had a general right, to dispose of them.

The American government has now for the first time in effect, declared that all Indian nations within its line of demarkation are its subjects, living there upon sufferance, on lands which it also claims the exclusive right of acquiring, thereby menacing the final extinction of those nations.

Against such a system the undersigned must formally protest. The undersigned repeat, that the terms on which the proposition has been made for assigning to the Indian nations some boundary, manifest no unwillingness to discuss any other proposition directed to the same object, or even a modification of that which is offered. G. Britain is ready to enter into the same engagements with respect to the Indians living within her line of demarkation, as that which is proposed to the U. States. It can therefore, only be from a complete misapprehension of the proposition, that it can be represented as being not reciprocal. Neither can it with any truth, be represented as contrary to the acknowledged principles of public law, as derogatory to the honor, or inconsistent with the rights of the American

government, nor as a demand required to be admitted without discussion.

After this full exposition of the sentiments of his majesty's government on the points above stated, it will be for the American Plenipotentiaries to determine whether they are ready now to continue the negotiation; whether they are disposed to refer to their government for further instructions; or, lastly, whether they will take upon themselves the responsibility of breaking off the negotiation altogether.

The undersigned request the American Plenipotentiaries to accept the assurances of their high consideration.

GAMBIER,  
H. GOULBURN,  
W. ADAMS.

*The American to the British Commissioners.*

GHEENT, Sept. 9th, 1814.

The undersigned have had the honor to receive the note of his Britannic majesty's Plenipotentiaries, dated the 4th instant. If in the tone, or substance of the former note of the undersigned, the British commissioners have perceived little proof of any disposition on the part of the American government, for a discussion of some of the propositions advanced in the first note, which the undersigned had the honor of receiving from them, they will ascribe it to the nature of the propositions themselves, to their apparent incompatibility with the assurances in lord Castlereagh's letter to the American secretary of state, proposing the negotiation, and with the solemn assurances of the British Plenipotentiaries themselves, to the undersigned, at their first conference with them.

The undersigned, in reference to an observation of the British Plenipotentiaries, must be allowed to say, that the objects which the government of the U. States had in view, have not been withheld.

The subjects considered as suitable for discussion were fairly brought forward, in the conference of the 9th ult. and the terms on which the U. States were willing to conclude the peace, were frankly and expressly declared in the note of the undersigned, dated the 24th ultimo. It had been confidently hoped that the nature of those terms, so evidently framed in a spirit of conciliation, would have

induced G. Britain to adopt them as the basis of a treaty ; and it is with deep regret that the undersigned, if they have rightly understood the meaning of the last note of the British Plenipotentiaries, perceive that they still insist on the exclusive military possession of the lakes, and on a permanent boundary and independent territory for the Indians residing within the dominions of the U. States.

The first demand is grounded on the supposition, that the American government has manifested, by its proceedings towards Spain, by the acquisition of Louisiana, by the purchases of Indian lands, and by an avowed intention of permanently annexing the Canadas to the U. States, a spirit of aggrandizement and conquest, which justifies the demand of extraordinary sacrifices from them, to provide for the security of the British possessions in America.

In observations which the undersigned felt it their duty to make on the new demands of the British government, they confined their animadversions to the nature of the demands themselves ; they did not seek for illustrations of the policy of G. Britain in her conduct, in various quarters of the globe, towards other nations, for she was not accountable to the U. States. Yet the undersigned will say, that their government has ever been ready to arrange, in the most amicable manner, with Spain, the questions respecting the boundaries of Louisiana, and Florida, and that of the indemnities acknowledged by Spain due to American citizens. How the peaceable acquisition of Louisiana, or the purchase of lands within the acknowledged territories of the U. States, both made by fair and voluntary treaties for satisfactory equivalents, can be ascribed to a spirit of conquest dangerous to their neighbors, the undersigned are altogether at a loss to understand.

Not has the conquest of Canada, and its permanent annexation to the U. States, been the declared object of their government. From the commencement of the war to the present time, the American government has been always willing to make peace, without obtaining any cession of territory, and on the sole condition that the maritime questions might be satisfactorily arranged. Such was their disposition in the month of July, 1812, when they instructed Mr. Russell to make the proposal of an armistice ; in the month of October of the same year, when Mr. Mon-

roe answered Admiral Warren's proposals to the same effect; in April, 1813, when instructions were given to three of the undersigned then appointed to treat of peace, under the mediation of Russia; and in January, 1814, when the instructions under which the undersigned are now acting, were prepared.

The proposition of the British Plenipotentiaries is, that, in order to secure the frontier of Canada against attack, the U. States should leave their own without defence; and it seems to be forgotten, that if their superior population, and the proximity of their resources give them any advantage in that quarter, it is balanced by the great difference between the military establishments of the two nations. No sudden invasion of Canada by the U. States, could be made, without leaving on their Atlantic shores, and on the ocean, exposed to the great superiority of the British force, a mass of American property far more valuable than Canada. In her relative superior force to that of the U. States in every other quarter, G. Britain may find a pledge much more efficacious for the safety of a single vulnerable point, than in stipulations ruinous to the interests, and degrading to the honor of America. The best security for the possessions of both countries will, however, be found in an equal and solid peace; in a mutual respect for the rights of each other, and in the cultivation of a friendly understanding between them. If there be any source of jealousy in relation to Canada itself, it will be found to exist solely in the undue interference of traders and agents, which may be easily removed by proper restraints.

The only American forts on the lakes known to have been, at the commencement of the negociation, held by British force, are Michilimackinac and Niagara. As the U. States were, at the same time, in possession of Amherstburg, and the adjacent country, it is not perceived that the mere occupation of those two forts could give any claim to his Britannic majesty to large cessions of territory, founded upon the right of conquest; and the undersigned may be permitted to add, that even if the chances of war should yield to the British arms a momentary possession of other parts of the territories of the U. States, such events would not alter their views with regard to the terms of peace to

which they would give their consent. Without recurring to examples drawn from the revolutionary governments of France, or to a more recent and illustrious triumph of fortitude in adversity, they have been taught by their own history that the occupation of their principal cities would produce no despondency, nor induce their submission to the dismemberment of their empire, or to the abandonment of any one of the rights which constitute a part of their national independence.

The general position, that it was consistent with the principles of public law, and with the practice of civilized nations, to include allies in a treaty of peace, and to provide for their security, never was called in question by the undersigned. But they have denied the right of G. Britain, according to those principles and her own practice, to interfere in any manner with the Indian tribes residing within the territories of the U. States, as acknowledged by herself, to consider such tribes as her allies, or to treat for them with the U. States. They will not repeat the facts and arguments already brought forward by them in support of this position, and which remain unanswered. The observations made by the British Plenipotentiaries on the treaty of Greenville, and their assertion that the U. States now, for the first time, deny the absolute independence of the Indian tribes, and claim the exclusive right of purchasing their lands, require, however, some notice.

If the U. States had now asserted, that the Indians within their boundaries, who have acknowledged the U. States as their only protectors were their subjects, living only at sufferance on their lands, far from being the first in making that assertion, they would only have followed the example on the principles, uniformly and invariably asserted in substance, and frequently avowed in express terms by the British government itself. What was the meaning of all the colonial charters granted by the British monarchy, from that of Virginia, by Elizabeth, to that of Georgia, by the immediate predecessor of the present king, if the Indians were the sovereigns and proprietors of the lands bestowed by those charters? What was the meaning of that article in the treaty of Utrecht, by which the five nations were described, in terms, as subject to the dominions of G. Britain? or that of the treaty with the Cherokees, by which it was

declared that the king of G. Britain granted them the privilege to live where they pleased, if those subjects were independent sovereigns, and if these tenants, at the licence of the British king, were the rightful lords of the lands where he granted them permission to live? What was the meaning of that proclamation of his present Britannic majesty, issued in 1763, declaring all purchases of lands from the Indians null and void, unless made by treaties held under the sanction of his majesty's government, if the Indians had the right to sell their lands to whom they pleased? What was the meaning of boundary lines of American territories, in all treaties of G. Britain with other European powers having American possessions, particularly in the treaty of 1763, by which she acquired from France the sovereignty and possession of the Canadas; in her treaty of peace with the U. States in 1783; nay, what is the meaning of the north western boundary line now proposed by the British commissioners themselves, if it is the rightful possession and sovereignty of independent Indians, of which these boundaries dispose? Is it indeed, necessary to ask, whether G. Britain ever has permitted, or would permit, any foreign nation, or without her consent, any of her subjects, to acquire lands from the Indians, in the territories of the Hudson bay company, or in Canada? In formally protesting against this system, it is not against a novel pretension of the American government, it is against the most solemn acts of their own sovereigns, against the royal proclamations, charters, and treaties of G. Britain, for more than two centuries, from the first settlement of North America to the present day, that the British Plenipotentiaries protest.

From the rigor of this system, however, as practised by G. Britain, and all other European powers in America, the humane and liberal policy of the U. States has voluntarily relaxed. A celebrated writer on the laws of nations, to whose authority British jurists have taken particular satisfaction in appealing, after stating, in the most explicit manner, the legitimacy of colonial settlements in America, the exclusion of all rights of uncivilized Indian tribes, has taken occasion to praise the first settlers of New-England, and the founder of Pennsylvania, in having purchased of the Indians the lands they resolved to cultivate, notwithstanding

their being furnished with a charter from their sovereign. It is this example, which the U. States, since they became by their independence, the sovereigns of the territory, have adopted and organized into a political system. Under that system, the Indians residing within the U. States are so far independent that they live under their own customs, and not under the laws of the U. States, that their rights upon the lands where they inhabit, or hunt, are secured to them by boundaries defined in amicable treaties between the U. States and themselves; and that whenever those boundaries were varied, it is also by amicable and voluntary treaties, by which they receive from the U. States ample compensation for every right they have to the lands ceded to them. They are so far dependent as not to have the right to dispose of their lands to private persons, nor to any power other than the U. States, and to be under their protection alone, and not under that of any other power. Whether called subjects, or by whatever name designated, such is the relation between them and the U. States.—That relation is neither asserted now for the first time, nor did it originate with the treaty of Greenville. These principles have been uniformly recognized by the Indians themselves, not only by that treaty, but in all the other previous as well as subsequent treaties between them and the U. States.

The treaty of Greenville neither took from the Indians the right, which they had not, of selling lands within the jurisdiction of the U. States to foreign governments or subjects, nor ceded to them the right of exercising exclusive jurisdiction within the boundary line assigned. It was merely declaratory of the public law in relation to the parties, founded on principles previously and universally recognized. It left to the U. States the rights of exercising sovereignty and of acquiring soil, and bears no analogy to the proposition of G. Britain which requires the abandonment of both.

The British Plenipotentiaries state in their last note, that G. Britain is ready to enter into the same engagement with respect to the Indians living within her line of demarkation, as that which is proposed to the U. States.—The undersigned will not dwell on the immense inequality of value between the two territories, which, under such an arrangement, would be assigned, by each nation respectively, to the

Indians, and which alone would make the reciprocity merely nominal. The condition which would be thus imposed on G. Britain not to acquire lands in Canada from the Indians, would be productive of no advantage to the U. States, and is, therefore, no equivalent for the sacrifice required of them. They do not consider that it belongs to the U. States in any respect to interfere with the concerns of G. Britain in her American possessions, or with her policy towards the Indians residing there: and they cannot consent to any interference, on the part of G. Britain, with their own concerns, and particularly with the Indians living within their territories. It may be the interest of G. Britain to limit her settlements in Canada to their present extent, and to leave the country to the West a perpetual wilderness, to be for ever inhabited by scattered tribes of hunters: but it would inflict a vital injury on the U. States to have a line run through her territory, beyond which her settlements should for ever be precluded from extending, thereby arresting the natural growth of her population and strength; placing the Indians substantially by virtue of the proposed guarantee, under the protection of G. Britain; dooming them to perpetual barbarism, and leaving an extensive frontier for ever exposed to their savage incursions.

With respect to the mere question of peace with the Indians, the undersigned have already explicitly assured the British Plenipotentiaries that so far as it depended on the U. States, it would immediately and necessarily follow a peace with G. Britain. If this be her sole object, no provision in the treaty to that effect is necessary. Provided the Indians will now consent to it, peace will immediately be made with them, and they will be reinstated in the same situation in which they stood before the commencement of hostilities. Should a continuance of the war compel the U. States to alter their policy towards the Indians, who may still take the part of G. Britain, they alone must be responsible for the consequences of her own act in having induced them to withdraw themselves from the protection of the U. States. The employment of savages, whose known rule of warfare is the indiscriminate torture and butchery of women, children, and prisoners, is itself a departure from



the principles of humanity observed between all civilized and Christian nations, even in war.

- The U. States have constantly protested, and still protest against it as an unjustifiable aggravation of the calamities and horrors of war.—Of the peculiar atrocities of Indian warfare, the allies of G. Britain in whose behalf she now demands sacrifices of the U. States, have during the present war, shewn many deplorable examples. Among them, the massacre in cold blood, of wounded prisoners, and the refusal of the rights of burial to the dead, under the eyes of British officers who could only plead their inability to control these savage auxiliaries, have been repeated and are notorious to the world. The U. States might at all times have employed the same kind of force against G. Britain, to a greater extent than it was in her power to employ it against them; but from their reluctance to resort to means so abhorrent to the natural feelings of humanity, they abstained from the use of them until compelled to the alternative of employing themselves Indians, who otherwise would have been drawn into the ranks of their enemies. The undersigned suggesting to the British Plenipotentiaries the propriety of an article by which G. Britain and the U. States should reciprocally stipulate never hereafter, if they should be again at war, to employ savages in it, believe that it would be infinitely more honorable to the humanity and Christian temper of both parties, more advantageous to the Indians themselves, and better adapted to secure their permanent peace, tranquility, and progressive civilization than the boundary proposed by the British Plenipotentiaries.

With regard to the cession of a part of the District of Maine, as to which the British Plenipotentiaries are unable to reconcile the objections made by the undersigned with their previous declaration, they have the honor to observe, that at the conference of the 8th ult. the British Plenipotentiaries stated as one of the subjects suitable for discussion, a revision of the boundary line between the British and American territories, with a view to prevent uncertainty and dispute; and that it was on the point thus stated, that the undersigned declared that they were provided with instructions from their government; a declaration which did not imply that they were instructed to make any ces-

sion of territory in any quarter, or agree to a revision of the line, or to any exchange of territory, where no uncertainty or dispute existed.

The undersigned perceive no uncertainty or matter of doubt in the treaty of 1783, with respect to that part of the boundary of the District of Maine which would be affected by the proposal of G. Britain on that subject. They never have understood that the British Plenipotentiaries who signed that treaty, had contemplated a boundary different from that fixed by the treaty; and which requires nothing more, in order to be definitely ascertained, than to be surveyed in conformity with its provisions. This subject not having been a matter of uncertainty or dispute, the undersigned are not instructed upon it; and they can have no authority to cede any part of the state of Massachusetts, even for what the British government might consider a fair equivalent.

\* In regard to the boundary of the north western frontier, so soon as the proposition of Indian boundary is disposed of, the undersigned have no objection, with the explanation given by the British Plenipotentiaries in their last note, to discuss the subject.

The undersigned in their former note, stated with frankness, and will now repeat, that the two propositions, 1st; of assigning in the proposed treaty of peace a definite boundary to the Indians living within the limits of the U. States; beyond which boundary they should stipulate not to acquire, by purchase or otherwise, any territory; and 2dly, of securing the exclusive military possession of the lakes to Great Britain, are both inadmissible; and that they cannot subscribe to, and would deem it useless to refer to their government, any arrangement, even provisional, containing either of these propositions. With this understanding, the undersigned are now ready to continue the negotiation; and as they have already expressed, to discuss all the points of difference, or which might hereafter tend in any degree to interrupt the harmony of the two countries.

The undersigned request the British Plenipotentiaries to accept the assurance of their high consideration.

JOHN Q. ADAMS, | JOHN A. RUSSELL,

J. A. BAYARD, | A. GADLATIN.

H. CLAY,

*The British to the American Commissioners.*

GHENT, Sept. 19, 1814.

The undersigned have the honor to acknowledge the receipt of the note addressed to them by the American Plenipotentiaries, on the 9th inst.

On the greater part of that note, the undersigned have no intention to make comments, having proposed to themselves throughout the negotiation to avoid all unnecessary discussions, more especially when tending to create irritation.

On the question of the northwestern frontiers, they are happy to find that no material difficulty is likely to arise.

With respect to the boundary of the District of Maine, the undersigned observe with regret, that although the American Plenipotentiaries have acknowledged themselves to be instructed to discuss a revision of the boundary line, with a view to prevent uncertainty and dispute, yet, by assuming an exclusive right at once to decide what is or is not a subject of uncertainty and dispute, they have rendered their powers nugatory or inadmissibly partial in their operation.

After the declaration made by the American Plenipotentiaries, that the U. States will admit of no line of boundary between their territory and that of the Indian nations, because the natural growth and population of the U. States would be thereby arrested, it becomes unnecessary further to insist on the proof of a spirit of aggrandizement afforded by the purchase of Louisiana from France, against the known conditions on which it had been ceded by Spain to that country, or the hostile seizure of a great part of the Floridas, under a pretence of a dispute respecting the boundary.

The reason given by the American Plenipotentiaries for this declaration, equally applies to the assignment of a boundary to the U. States on any side, with whatever view proposed; and the unlimited nature of the pretension would alone have justified G. Britain in seeking more effectual securities against its application to Canada, than any which the undersigned have had the honor to propose.

Had the American Plenipotentiaries been instructed on the subject of Canada, they would not have asserted that its permanent annexation had not been the declared object

of their government. It has been distinctly avowed to be such at different times, particularly by two American Generals on their respective invasions of Canada. If the declaration first made had been disapproved, it would not have been repeated. The declarations here referred to are to be found in the proclamation of Gen. Hull, in July, 1812, and of Gen. Smyth, in November, 1812, copies of which are hereunto annexed.

It must be also from the want of instructions that the American Plenipotentiaries have been led to assert that G. Britain has induced the Indians to withdraw from the protection of the U. States. The government of the U. States cannot have forgotten that G. Britain, so far from inducing the Indians to withdraw themselves from the protection of the U. States, gave the earliest information of the intention of those nations to invade the U. States, and exerted herself, though without success, to prevent and appease their hostility. The Indian nations, however, having experienced, as they thought, oppression, instead of protection from the U. States, declared war against them previously to the declaration of war by that country against G. Britain. The treaty by which the Indians placed themselves under the protection of the U. States, is now abrogated, and the American government cannot be entitled to claim as a right, the renewal of an article in a treaty, which has no longer any existence. The Indian nations are therefore no longer to be considered as under the protection of the U. States, (whatever may be the import of that term), and it can only be on the ground that they are regarded as subjects, that the American Plenipotentiaries can be authorized to deny the right of G. Britain to interfere on their behalf in the negotiations for peace. To any such claim, it is repeated, that the treaties concluded with them, and particularly that of Greenville, are in direct opposition.

It is not necessary to recur to the manner in which the territory of the U. States was at first settled, in order to decide, whether the Indian nations, the original inhabitants of America, shall have some spot assigned to them, where they may be permitted to live in tranquility; nor whether their tranquility can be secured without preventing an un-

interrupted system of encroachment upon them under the pretence of purchase.

If the American Plenipotentiaries are authorized peremptorily to deny the right of the British government to interfere with the pacification of the Indian nations, and for that reason refuse all negotiations on the subject, the undersigned are at a loss to understand, upon what principle it was, that at the conference of the 9th ultimo, the American Plenipotentiaries invited discussion on the subject, and added that it was not possible for them to decide without discussion, whether an article could be framed which should be mutually satisfactory, and to which they should think themselves, under their discretionary powers, warranted in acceding.

The undersigned must further observe, that if the American government has not furnished their Plenipotentiaries with any instructions since January last, when the general pacification of Europe could not have been immediately in contemplation, this subsequent silence, after an event so calculated (even in the view which the American Plenipotentiaries have taken of it, in their note of the 24th ult.) to influence the negotiation, is, to say the least, no proof of a sincere desire to bring it to a favorable conclusion. The British government has entered into the negotiation with an anxious wish to effect an amicable arrangement. After convulsions unexampled in their nature, extent, and duration, the civilized world has need of repose. To obtain this in Europe, G. Britain has made considerable sacrifices. To complete the work of general pacification, it is her earnest wish to establish a peace with the U. States, and in her endeavors to accomplish this object, to manifest the same principles of moderation and forbearance; but it is utterly inconsistent with her practice and her principles ever to abandon in her negotiations for peace, those who have co-operated with her in war.

The undersigned, therefore, repeat, that the British government is willing to sign a treaty of peace with the U. States on terms honorable to both parties. It has not offered any terms which the U. States can justly represent as derogatory to their honor, nor can it be induced to accede to any which are injurious to its own. It is on this ground that the undersigned are authorized distinctly to declare,

that they are instructed not to sign a treaty of peace with the Plenipotentiaries of the U. States, unless the Indian nations are included in it, and restored to all the rights, privileges, and territories, which they enjoyed in the year 1811, previous to the commencement of the war, by virtue of the treaty of Greenville, and the treaties subsequently concluded between them and the U. States. From this point the British Plenipotentiaries cannot depart.

They are further instructed to offer for discussion an article by which the contracting parties shall reciprocally bind themselves, according to boundaries to be agreed upon, not to purchase the lands occupied by the Indians within their respective lines of demarkation. By making this engagement, subject to revision at the expiration of a given period, it is hoped that the objection to the establishment of a boundary beyond which the settlement of the United States should be forever excluded, may be effectually obviated.

The undersigned have never stated that the exclusive military possession of the lakes, however conducive they are satisfied it would be to a good understanding between the two countries, without endangering the security of the U. States, was to be considered as a *sine qua non* in the negotiation. Whenever the question relative to the pacification of the Indian nations (which, subject to the explanations already given, is a *sine qua non*,) shall be adjusted, the undersigned will be authorized to make a final proposition on the subject of Canadian boundaries, so entirely founded on principles of moderation and justice, that they feel confident it cannot be rejected. This proposition will be distinctly stated by the undersigned, upon receiving an assurance from the American Plenipotentiaries that they consider themselves authorized to conclude a provisional article on the subject, and upon their previously consenting to include the Indian nations in the treaty, in the manner above described.

The undersigned avail themselves of this opportunity of renewing to the American Plenipotentiaries, the assurance of their high consideration.

GAMBIER,  
HENRY GOULBURN,  
WILLIAM ADAMS.

*The American to the British Commissioners.*

GHENT; Sept. 26, 1814.

In replying to the note which the undersigned have had the honor of receiving from his Britannic majesty's Plenipotentiaries, dated on the 19th inst. they are happy to concur with them in the sentiment of avoiding unnecessary discussions, especially such as may have a tendency to create irritation. They had hoped that, in the same spirit, the British Plenipotentiaries would not have thought allusions again necessary to transactions foreign to this negotiation, relating to the U. States, and other independent nations, and not suitable for discussion between the United States and Great-Britain. The observation made with respect to Louisiana is the more extraordinary, as the cession of that province to the U. States was, at the time, communicated to the British government, who expressed their entire satisfaction with it, and has subsequently received the solemn sanction of Spain herself. The undersigned will further say, that whenever the transactions of the U. States, in relation to the boundaries of Louisiana and Florida, shall be a proper subject of discussion, they will be found not only susceptible of complete justification, but will demonstrate the moderation and forbearance of the American government, and their undeviating respect for the rights of their neighbors.

The undersigned are far from assuming the exclusive right to decide, what is, or is not, a subject of uncertainty and dispute, with regard to the boundary of the District of Maine. But until the British Plenipotentiaries shall have shown in what respect the part of that boundary which would be affected by their proposal, is such a subject, the undersigned may be permitted to assert that it is not.

The treaty of 1783, described the boundary as 'a line to be drawn along the middle of the river St. Croix, from its mouth in the bay of Fundy, to its source, and from its source directly north to the highlands which divide the rivers that fall into the Atlantic ocean from those which fall into the river St. Lawrence, and thence along the said highlands to the northwesternmost head of Connecticut river.'

Doubts having arisen as to the St. Croix, designated in the treaty of 1783, a provision was made by that of 1794, for ascertaining it: and it may be fairly inferred, from the

limitation of the article to that sole object, that even in the judgment of G. Britain, no other subject of controversy existed in relation to the extension of the boundary line from the source of that river. That river and its source having been accordingly ascertained, the undersigned, are prepared to propose the appointment of commissioners by the two governments, to extend the line to the highlands, conformably to the treaty of 1783. The proposal, however, of the British Plenipotentiaries was not to ascertain, but to vary those lines in such manner as to secure a direct communication between Quebec and Halifax; an alteration which could not be effected without a cession by the U. States to G. Britain of all that portion of the state of Massachusetts intervening between the province of New Brunswick and Quebec, although unquestionably included within the boundary lines fixed by that treaty. Whether it was contemplated on the part of G. Britain to obtain the cession, with or without an equivalent in frontier or otherwise, the undersigned, in stating that they were not instructed or authorised to treat on the subject of cession, have not declined to discuss any matter of uncertainty or dispute which the British Plenipotentiaries may point out to exist, respecting the boundaries in that or in any other quarter, and are, therefore, not liable to the imputation of having rendered their powers on the subject nugatory or inadmissibly partial in their operation.

The British Plenipotentiaries consider the undersigned as having declared, 'that the U. States will admit of no line of boundary between their territory and that of the Indian nations because the natural growth and population of the U. States would be thereby arrested.' The undersigned, on the contrary, expressly stated in their last note 'that the lands inhabited by the Indians were secured to them by boundaries, defined in amicable treaties between them and the United States:' but they did refuse to assign, in a treaty of peace with G. Britain, a definitive and permanent boundary to the Indians, living within the limits of the U. States. On this subject, the undersigned have no hesitation in avowing, that the U. States, while intending never to acquire lands from the Indians otherwise than peaceably, and with their free consent, are fully determined in that manner, progressively, and in proportion as their



growing population may require, to reclaim from the state of nature, and to bring into cultivation, every portion of the territory contained within their acknowledged boundaries. In thus providing for the support of millions of civilized beings, they will not violate any dictate of justice or humanity, for they will not only give to the few thousand savages, scattered over that territory, an ample equivalent for any right they may surrender, but will always leave them the possession of lands more than they can cultivate, and more than adequate to their subsistence, comfort, and enjoyment, by cultivation.

If this be a spirit of aggrandizement, the undersigned are prepared to admit, in that sense, its existence; but they must deny that it affords the slightest proof of an intention not to respect the boundaries between them and European nations, or of a desire to encroach upon the territories of G. Britain. If, in the progress of their increasing population, the American people must grow in strength proportioned to their numbers, the undersigned will hope that G. Britain, far from repining at the prospect, will contemplate it with satisfaction. They will not suppose that that government will avow, as the basis of their policy towards the U. States, the system of arresting their natural growth within their own territories, for the sake of preserving a perpetual desert for savages. If G. Britain has made sacrifices to give repose to the civilized world in Europe, no sacrifice is required from her by the U. States to complete the work of general pacification. This negotiation, at least evinces, on their part, no disposition to claim any other right, than that of preserving their independence entire, and of governing their own territories without foreign interference.

Of the two proclamations, purported copies of which the British Plenipotentiaries have thought proper to enclose with their last note, the undersigned might content themselves with remarking, that neither of them is the act of the American government. They are enabled however to add, with perfect confidence, that neither of them was authorised or approved by that government. The undersigned are not disposed to consider as the act of the British government, the proclamation of Admiral Cochrane, herewith enclosed, exciting a portion of the population of the

U. States, under the promise of military employment, or of free settlement in the West-Indies, to treachery and rebellion. The undersigned very sincerely regret to be obliged to say, that an irresistible mass of evidence, consisting principally of the correspondence of British officers and agents, part only of which has already been published in America, establishes beyond all rational doubt, the fact, that a constant system of excitement to those hostilities was pursued by the British traders and agents, who had access to the Indians, not only without being discountenanced, but with frequent encouragement by the British authorities; and that if they ever dissuaded the Indians from commencing hostilities, it was only by urging them, as in prudence, to suspend their attacks, until G. Britain should recognize them as her allies in the war.

When, in the conference of the 9th ult. the undersigned invited discussion upon the proposal of Indian pacification and boundary, as well as upon all the subjects presented by the British Plenipotentiaries for discussion, they expressly stated their motives to be, 1st, to ascertain by discussion whether an article on the subject could be formed to which they could subscribe, and which would be satisfactory to the British Plenipotentiaries; and 2dly, that if no such article could be formed, the American government might be informed of the views of G. Britain upon that point, and the British government of the objections on the part of the U. States, to any such arrangement. The undersigned have, in fact, already proposed no less than three articles on the subject, all of which they view as better calculated to secure peace and tranquility to the Indians, than any one of the proposals for that purpose, made by the British Plenipotentiaries.

The undersigned had repeated their assurances to the British Plenipotentiaries, that peace, so far as it depended on the U. States, would immediately follow a peace with G. Britain, and added, that the Indians would thereby be reinstated in the same situation in which they stood before the commencement of hostilities. The British Plenipotentiaries insist, in their last note, that the Indian nations shall be included in the treaty of peace between G. Britain and the U. States, and be restored to all the rights, privileges, and territories which they enjoyed in the year 1811,

previous to the commencement of the war, by virtue of the treaty of Greenville, and the treaties subsequently concluded between them and the U. States. Setting aside the subject of boundary, which is presented as for discussion only, there is no apparent difference with respect to the object in view; the pacification and tranquility of the Indians, and placing them in the same situation in which they stood before the war, all which will be equally obtained in the manner proposed by the undersigned, and the only point of real difference is, the British Plenipotentiaries insist that it should be done by including the Indians, as allies of G. Britain, in the treaty of peace between her and the U. States.

The U. States cannot consent that Indians residing within their boundaries, as acknowledged by G. Britain, shall be included in the treaty of peace, in any manner which will recognize them as independent nations, whom G. Britain, having obtained this recognition, would hereafter, have the right to consider in every respect, as such. Thus to recognize these Indians as independent and sovereign nations, would take from the U. States, and transfer to those Indians, all the rights of soil and sovereignty over the territory which they inhabit; and this being accomplished through the agency of G. Britain, would place them effectually and exclusively under her protection, instead of being, as heretofore, under that of the U. States. It is not perceived in what respect such a provision would differ from an absolute cession by the U. States of the extensive territory in question.

The British Plenipotentiaries have repeated the assertion, that the treaty by which the Indians placed themselves under the protection of the U. States, was abrogated by the war; and thence infer, that they are no longer to be considered as under the protection of the U. States, whatever may be the import of the term; and that the right of G. Britain to interfere in their behalf in the negotiation of peace, can only be denied on the ground that they are regarded as subjects. In point of fact, several of the tribes, parties to the treaty of Greenville, have constantly been, and still are, at peace with the U. States. Whether that treaty be, or be not abrogated, is a question not necessary to be now discussed. The right of the U. States to the protection of

the Indians within their boundaries, was not acquired by that treaty ; it was a necessary consequence of the sovereignty and independence of the U. States. Previous to that time the Indians living within the same territory, were under the protection of his Britannic majesty, as its sovereign. The undersigned may refer the British Plenipotentiaries to all the acts of their own government, relative to the subject, for proof, that it has always considered this right of protection as one of the rights of sovereignty, which it needed no Indian treaty to confer, and which the abrogation of no Indian treaty could divest. They will particularly bring to their recollection, that when a similar proposition of considering Indian tribes as independent nations, to serve as a barrier between the French and English territories, was made by France to England, it was immediately rejected, by a minister to whom the British nation is accustomed to look back with veneration, and rejected on the express ground, that the king would not renounce his right to protection over the Indians within his dominions. But whatever the relation of the Indians to the U. States may be, and whether under their protection or not, G. Britain having by the treaty of 1783, recognized the sovereignty of the U. States, and agreed to certain limits as their boundaries, has no right to consider any persons or communities, whether Indians, or others, residing within those boundaries, as nations independent of the U. States.

The U. States claim of right, with respect to all European nations, and particularly with respect to G. Britain, the entire sovereignty over the whole territory, and all the persons embraced within the boundaries of their dominions. G. Britain has no right to take cognizance of the relations subsisting between the several communities or persons living therein. They form as to her, only parts of the dominions of the U. States, and it is altogether immaterial, whether, or how far, under their political institutions and policy, these communities or persons are independent states, allies, or subjects. With respect to her and all other foreign nations, they are parts of a whole, of which the U. States are the sole and absolute sovereigns.

The allegation of the British Plenipotentiaries, that it is inconsistent with the practice or principles of G. Britain to abandon in her negotiations for peace, those who have co-

operated with her in war, is not applicable to the Indians, but on the erroneous assumption of their independence, which, so far as she is concerned has been fully disproved. And although no power from these tribes to the British government to treat in their behalf, would for the same reason be admitted by the undersigned, they may nevertheless observe, that the British Plenipotentiaries having produced no such powers, having no authority to bind the Indians, to engage for their assent to the pacification, or to secure the continuance of peace on their part whilst speaking of them as allies, do really propose to treat for them not as if they were independent nations, but as if they were the subjects of G. Britain.

The undersigned so far from asking that, in relation to the Indians, G. Britain should pursue a course inconsistent with her former practice and principles, only desire that she would follow her own example respecting them, in her former treaties with other European nations, and with the U. States. No provision for the Indians is found in the treaty of 1763, by which France ceded Canada to G. Britain, although almost all the Indians living within the territory ceded, or acknowledged to belong to G. Britain, had taken part with France in the war. No such provision was inserted in the treaty of peace of 1783, between G. Britain and the U. States, although almost all the Indian tribes living within the territory recognized by the treaty to belong to the U. States, had during the war, co-operated with G. Britain, and might have been considered as her allies more justly than on the present occasion. So far as concerns the relations between G. Britain and the U. States, these Indians can be treated for only on the principles by which amnesties are stipulated in favor of disaffected persons, who, in times of war and invasion, co-operate with the enemy of the nation to which they belong. To go as far as possible in securing the benefit of the peace to the Indians, now the only object professed by the British government in their present *sine qua non*, the undersigned offer a stipulation in general terms, that no person or persons, whether subjects, citizens, or Indians, residing within the dominions of either party, shall be molested or annoyed, either in persons or their property, for any part they may have taken in the war between the U. States and G. Britain; but shall retain all the rights, privi-

leges and possessions, which they respectively had at the commencement of the war; they, on their part demeaning themselves peaceably, and conformably to their duties to the respective governments.—This the undersigned have no doubt will effectually secure to the Indians peace, if they themselves will observe it, and they will not suppose that G. Britain would wish them included in the peace but upon that condition.

The undersigned have never intimated that their government had not furnished them with any instructions since January last. On the contrary, they distinctly told the British Plenipotentiaries in conference, though it appears to have escaped their recollection, that instructions had been received by the undersigned, dated at the close of the month of June. The undersigned will now add, that those instructions were drawn with a full knowledge of the general pacification in Europe, and with so liberal a consideration of its necessary bearing upon all the differences that had been until then subsisting between G. Britain and the U. States, that the undersigned cannot doubt that peace would long since have been concluded, had not an insuperable bar against it been raised by the new and unprecedented demands of the British government.

With respect to the proposition which the British Plenipotentiaries inform them they will be prepared to make, in relation to the Canadian boundaries, which appears to them so entirely founded on principles of moderation and justice, but the nature of which they think proper at present to withhold, the undersigned can only pledge themselves to meet any proposition from the British Plenipotentiaries, characterized by moderation and justice, not only with a perfect reciprocity of those sentiments, but with a sincere and earnest desire to contribute to the restoration of peace, by every compliance with the wishes of G. Britain, compatible with their duty to their country.

The undersigned have the honor of tendering to the British Plenipotentiaries, the renewed assurance of their high consideration.

J. Q. ADAMS,

J. A. BAYARD,

H. CLAY,

JONA. RUSSELL,

A. GALLATIN.

*The British to the American Commissioners.*

GHENT, Oct. 8, 1814.

The undersigned have the honor to acknowledge the receipt of the note of the Plenipotentiaries of the U. States, dated on the 29 ult.

As the continuance of the negotiation exclusively depends upon the question relating to the pacification and rights of the Indian nations the undersigned are unwilling to extend their observations to the other subjects brought forward in the note of the American Plenipotentiaries, further than may be required for necessary explanation.

In adverting for this purpose to the acquisition of Louisiana, the undersigned must observe, that the instrument by which the consent of his Catholic majesty is alledged to have been given to the cession of it, has never been made public. His Catholic majesty was no party to the treaty by which the cession was made, and if any sanction has been subsequently obtained from him, it must have been, like other coteremporaneous acts of that monarch, involuntary, and as such cannot alter the character of the transaction. The Marquis of Yrojo, the minister of his Catholic majesty at Washington, in a letter addressed to the President of the U. States, formally protested against the cession, and the right of France to make it. Yet, in the face of this protestation, so strongly evincing the decided opinion of Spain as to the illegality of the proceeding, the President of the U. States ratified the treaty. Can it be contended that the annexation of Louisiana, under such circumstances, did not mark a spirit of territorial aggrandizement?

His Britannic majesty did certainly express satisfaction when the American government communicated the event, that Louisiana, a valuable colony in the possession of France, with whom the war had just been renewed, instead of remaining in the hands of his enemy, had been ceded to the U. States, at that time professing the most friendly disposition towards G. Britain, and an intention of providing for her interest in the acquisition. But the conditions under which France had acquired Louisiana from Spain, were not communicated; the refusal of Spain to consent to its alienation was not known; the protest of her ambassador had not been made, and many other circumstances

attending the transaction, on which it is now unnecessary to dilate, were, as there is good reason to believe, industriously concealed.

The proof of a spirit of aggrandizement, which the undersigned had deduced from the hostile seizure of a great part of the Floridas, under the most frivolous pretences, remains unrefuted; and the undersigned are convinced that the occasion and circumstances under which that unwarrantable act of aggression took place, have given rise throughout Europe to but one sentiment as to the character of the transaction.

After the previous communication which the undersigned have had the honor of receiving from the American Plenipotentiaries, they could not but feel much surprised at the information contained in their last note of their having received instructions dated subsequently to January, 1814. The undersigned have no recollection whatever of the American Plenipotentiaries having communicated to them, either collectively, or individually at a conference or otherwise, the receipt of instructions from the government of the U States dated at the close of the month of June, and they must remind the American Plenipotentiaries that their note of the 9th ult. distinctly stated that the instructions of January, 1814, were those under which they were acting. If therefore, the American Plenipotentiaries received instructions drawn up at the close of the month of June, with a liberal consideration of the late events in Europe, the undersigned have a right to complain, that while the American government justly considered those events as having a necessary bearing on the existing differences between the two countries, the American Plenipotentiaries should nevertheless have preferred acting under instructions, which, from their date, must have been without the contemplation of such events.

The British government never required that all that portion of the state of Massachusetts intervening between the province of New Brunswick and Quebec, should be ceded to G. Britain, but only that small portion of unsettled country which interrupts the communication between Halifax and Quebec, there being much doubt whether it does not already belong to G. Britain.



The undersigned are at a loss to understand how vice Admiral Cochrane's proclamation illustrates any topic connected with the present negotiation, or bears upon the conclusion which they contended was to be drawn from the two proclamations of the American Generals. These proclamations distinctly avowing the intention of the American government permanently to annex the Canadas to the U. States, were adduced not as a matter of complaint, but simply for the purpose of proving what had been denied as a fact, viz. that such had been the declared intention of the American government.

The undersigned observe, that although the American Plenipotentiaries have taken upon themselves generally to deny that the proclamations were authorized or approved by their government, without stating in what mode that disapprobation was expressed, yet they avoid stating that the part of those proclamations containing the declaration in question, had not been so authorized or approved. It is indeed impossible to imagine, that if the American government had intimated any disapprobation of that part of General Hull's proclamation, the same declaration would have been as confidently repeated four months after by General Smyth.

His majesty's government have other and ample means of knowing that the conquest of the Canadas and their annexation to the U. States was the object and policy of the American government. For the present the undersigned will content themselves with referring to the remonstrance of the legislature of Massachusetts, in June, 1813, in which this intention is announced as matter of notoriety.

The undersigned deny that the American government had proved, or can prove, that previous to the declaration of war by the U. States, persons authorized by the British government, endeavored to excite the Indian nations against the U. States, or that endeavors of that kind, if made by private persons, (which the undersigned have no reason to believe) ever received the sanction of his majesty's government.

The American Plenipotentiaries have not denied that the Indian nations had been engaged in war with the U. States, before the war with G. Britain had commenced, and they have reluctantly confessed, that so far from his majesty having induced the Indian nations to begin the war, as charged against G. Britain in the notes of the 24th

Aug. and 9th ult. the British government actually exerted their endeavors to dissuade the Indian nations from commencing it.

As to the unworthy motive assigned by the American Plenipotentiaries to this interference so amicably made on the part of G. Britain, its utter improbability is sufficiently apparent from considering by which party the war was declared. The undersigned, therefore, can only consider it as an additional indication of that hostile disposition, which has led to the present unhappy war between the two countries. So long as that disposition continues, it cannot but render any effort on the part of G. Britain to terminate this contest utterly unavailing.

The American Plenipotentiaries appear unprepared to state the precise ground upon which they resist the right of his Majesty to negotiate with the U. States on behalf of the Indian nations, whose co-operation in the war his majesty has found it expedient to accept.

The treaty of Greenville, to the words, stipulations, and spirit of which the undersigned have so frequently appealed, and all the treaties previously and subsequently made, between the U. States and the Indian nations, shew, beyond the possibility of doubt, that the U. States have been in the habit of treating with these tribes as independent nations, capable of maintaining the relations of peace and war, and exercising territorial rights.

If this be so, it will be difficult to point out the peculiar circumstances in the condition of those nations, which should either exclude them from a treaty of general pacification, or prevent G. Britain, with whom they have co-operated as allies in the war, from proposing stipulations in their behalf at the peace. Unless the American Plenipotentiaries are prepared to maintain what they have in effect advanced, that although the Indian nations may be independent in their relations with the U. States, yet the circumstance of living within the boundary of the U. States disables them from forming such conditions of alliance with a foreign power, as shall entitle that power to negotiate for them in a treaty of peace.

The principle upon which this proposition is founded, was advanced, but successfully resisted so far back as the treaty of Munster. An attempt was then made to preclude

France from negotiating in behalf of certain states and cities in Germany, who had co-operated with her in the war, because although those states and cities might be considered as independent for certain purposes, yet being within the boundary of the German empire, they ought not to be allowed to become parties in the general pacification with the emperor of Germany, nor ought France to be permitted in that negotiation to mix their rights and interests with her own.

The American Plenipotentiaries probably aware that the notion of such a qualified independence, for certain purposes, and not for others, could not be maintained, either by argument or precedent, have been compelled to advance the novel and alarming pretension, that all the Indian nations living within the boundary of the U. States, must in effect, be considered as their subjects, and, consequently, if engaged in war against the U. States, become liable to be treated as rebels, or disaffected persons. They have further stated, that all the territory which these Indian nations occupy, is at the disposal of the U. States, that the United States have a right to dispossess them of it : to exercise that right, whenever their policy or interest may seem to them to require it : and to confine them to such spots as may be selected, not by Indian nations, but by the American government. Pretensions such as these G. Britain can never recognize : however reluctant his royal highness, the Prince Regent may be to continue the war, that evil must be preferred, if peace can only be obtained on such conditions.

To support those pretensions, and at the same time to show, that the present conduct of G. Britain is inconsistent with her former practice and principles, the American Plenipotentiaries have referred to the treaty of peace of 1783, to that of 1763, and to the negotiations of 1761, during the administration of a minister, whom the American Plenipotentiaries have stated, and truly stated, to be high in the estimation of his country.

The omissions to provide in the treaty of 1783, for the pacification of the Indian nations, which were to be included within the proposed boundary of the U. States, cannot preclude G. Britain from now negotiating in behalf of such tribes or nations, unless it be assumed, that the occasional non-exercise of a right is an abandonment of it. Nor can

the right of protection, which the American Plenipotentiaries have failed in showing to have ever been claimed by G. Britain as incident to sovereignty, have been transferred by G. Britain to the U. States, by a treaty, to which the Indian nations were not parties.

In the peace of 1763, it was not necessary for G. Britain to treat for the pacification of the Indian nations, and the maintenance of their rights and privileges, because there had been no Indian nations living without the British boundaries, who had co-operated with G. Britain, in the war against France.

With respect to the negotiations of 1761, between Great Britain and France, on which the American Plenipotentiaries more particularly rely, they appear, in the judgment of the undersigned, to have much misunderstood the whole course of that negotiation.

It is very true that the French government brought forward, at one period of the negotiation, a proposition by which a certain territory, lying between the dominions of the two contracting parties, was to have been allotted to the Indian nations. But it does not appear that this formed a part of their ultimatum, and it is clear, that Mr. Pitt in his answer, did not object to the proposition. He objected indeed to the proposed line of demarkation between the countries belonging to the two contracting parties, upon the two grounds: 1st, that the proposed northern line would have given to France, what the French had themselves acknowledged to be part of Canada, the whole of which, as enjoyed by his most Christian majesty, it had been stipulated, was to be ceded entirely to G. Britain: 2dly, that the southern part of the proposed line of demarkation would have included within the boundary of Louisiana, the Cheerokees, the Creeks, the Chickasaws, the Choctaws, and another nation, who occupied territories which had never been included within the boundaries of that settlement. So far was Mr. Pitt from rejecting, as alledged by the American Plenipotentiaries, the proposition of considering Indian nations a barrier, that at one period of the negotiation he complained that there was no provision for such a barrier; and he thus energetically urges his objections, in his letter to Mr. Stanley, the British Plenipotentiary at Paris, dated on the 26th of June, 1761; 'As to the fixation of new limits to

Canada towards the Ohio, it is captious and insidious, thrown out in hope, if agreed to, to shorten thereby the extent of Canada, and to lengthen the boundaries of Louisiana, and in the view to establish, what must not be admitted, namely, that all which is not Canada is Louisiana; whereby all the intermediate nations and countries, the true barrier to each province, would be given up to France.'

The undersigned confidently expect, that the American Plenipotentiaries will not again reproach the British government with acting inconsistently with its former practice and principles, or repeat the assertion made in a former note, that a definition of Indian boundary, with a view to a neutral barrier, was a new and unprecedented demand by any European power, and most of all by G. Britain; the very instance selected by the American Plenipotentiaries, undeniably proves that such a proposition had been entertained both by G. Britain and France, and that Mr. Pitt on the part of G. Britain had more particularly enforced it.

It remains only to notice two objections which the American Plenipotentiaries have urged against the proposal of Indian pacification, advanced by the undersigned; first, that it is not reciprocal: secondly, that as the U. States could have no security that the Indian nations would conclude a peace on the terms proposed, the proposition would be in effect unilateral.

The article now proposed by the undersigned, and here-with enclosed, is free from both objections, and appears to them so characterized by a spirit of moderation and peace, that they earnestly anticipate the concurrence of the American Plenipotentiaries.

In making a last effort in this stage of the war, the undersigned are not apprehensive that the motives which have influenced his royal highness the Prince Regent, to direct a renewal of the proposition, with its present modifications, can be misunderstood or misrepresented.

Whatever may be the result of the proposition thus offered, the undersigned deliver it as their ultimatum, and now wait with anxiety the answer of the American Plenipotentiaries, on which their continuance in this place will depend.

The undersigned avail themselves of this opportunity of renewing to the American Plenipotentiaries, the assurance of their high consideration.

GAMBIER,  
HENRY GOULBURN;  
WILLIAM ADAMS.

“The U. States of America engage to put an end, immediately after the ratification of the present treaty, to hostilities, with all the tribes or nations of Indians with whom they may be at war, at the time of such ratification, and forthwith to restore to such tribes or nations, respectively, all the possessions, rights and privileges, which they may have enjoyed or been entitled to in 1811, previous to such hostilities: provided always, that such tribes or nations shall agree to desist from all hostilities against the U. States of America, their citizens and subjects, upon the ratification of the present treaty being notified to such tribes or nations, and shall so desist accordingly.

“And his Britannic majesty engages, on his part, to put an end, immediately after the ratification of the present treaty, to hostilities, with all the tribes or nations of Indians with whom he may be at war, at the time of such ratification, and forthwith to restore to such tribes or nations respectively, all the possessions, rights and privileges, which they may have enjoyed or been entitled to in 1811, previous to such hostilities: provided always, that such tribes or nations shall agree to desist from all hostilities against his Britannic majesty and his subjects, upon the ratification of the present treaty being notified to such tribes or nations, and shall so desist accordingly.”

*The American to the British Commissioners.*

GHEENT, October 18, 1814.

The undersigned have the honor to acknowledge the receipt of the note of the Plenipotentiaries of his Britannic majesty, dated on the 8th instant.

Satisfied of the impossibility of persuading the world that the government of the U. States was liable to any well founded imputation of a spirit of conquest or of injustice towards other nations, the undersigned, in affording explanations on several of the topics adverted to by the British

Plenipotentiaries during this negotiation, were actuated by the sole motive of removing erroneous impressions.

Still influenced by the same motive, they will now add, that at the time when the Spanish minister was remonstrating at Washington against the transfer of Louisiana, orders were given by his government for its delivery to France: that it was, in fact, delivered a short time after that remonstrance; and that if the treaty by which the U. States acquired it had not been ratified, would have become, of course, a French colony. The undersigned believe that the evidence of the assent of Spain to that transfer has been promulgated. They neither admit the alledged disability of the Spanish monarch, nor the inference which the British Plenipotentiaries would seem to deduce from it; on the contrary, the assent was voluntarily given in the year 1804, by the same king who, about the same time, ceded Trinidad to G. Britain, and prior to the time when he was again engaged in war with her. The cession by France was immediately communicated to G. Britain, no circumstance affecting it, and then within the knowledge of the U. States, being intentionally concealed from her. She expressed her satisfaction with it; and if in any possible state of the case she would have had a right to question the transaction, it does not appear to the undersigned that she is now authorised to do so.

After stating, generally, that the proclamations of Generals Hull and Smyth were neither authorized nor approved by their government, the undersigned could not have expected that the British Plenipotentiaries would suppose that their statement did not embrace the only part of the proclamations which was a subject of consideration.

The undersigned had, indeed, hoped, that by stating in their note of the 9th ultimo, that the government of the U. States, from the commencement of the war, had been disposed to make peace without obtaining any cession of territory, and by referring to their knowledge of that disposition, and to instructions accordingly given from July, 1812, to January, 1814, they would effectually remove the impression that the annexation of Canada to the U. States was the declared object of their government. Not only have the undersigned been disappointed in this expectation, but the only inference which the British Plenipotentiaries have

thought proper to draw from this explicit statement, has been, that either the American government, by not giving instructions subsequent to the pacification of Europe, or the undersigned, by not acting under such instructions, gave no proof of a sincere desire to bring the present negotiations to a favorable conclusion. The undersigned did not allude, in reference to the alledged intention to annex Canada to the U. States, to any instructions given by their government subsequently to January last, because, asking at this time for an accession of territory, it was only of its previous disposition that it appeared necessary to produce any proof. So erroneous was the inference drawn by the British Plenipotentiaries, in both respects, that it was in virtue of the instructions of June last, that the undersigned were enabled, in their note of the 24th of Aug. to state, that the causes of the war between the U. States and G. Britain, having disappeared, by the maritime pacification of Europe, they had been authorised to agree to its termination upon a mutual restoration of territory, and without making the conclusion of peace to depend on a successful arrangement of those points on which differences had existed.

Considering the present state of this negociation, the undersigned will abstain, at this time from adducing any evidence or remarks upon the influence which has been exerted over the Indian tribes inhabiting the territories of the U. States, and the nature of those excitements which had been employed by British traders and agents.

The arguments and facts already brought forward by the undersigned, respecting the political condition of those tribes, render it unnecessary for them to make many observations on those of the British Plenipotentiaries on that subject. The treaties of 1763, and 1783, were those principally alluded to by the undersigned, to illustrate the practice of G. Britain. She did not admit in the first, nor require in the last, any stipulations respecting the Indians who, in one case, had been her enemies, and in the other, her allies, and who, in both instances, fell by the peace within the dominions of that power against whom they had been engaged in the preceeding war.

The negociation of 1761 was quoted for the purpose of proving, what appears to be fully established by the answer of England to the ultimatum of France delivered on



the first of September of that year, that his Britannic majesty would not renounce his right of protection over the Indian nations reputed to be within his dominions, that is to say, between the British settlements and the Mississippi. Mr. Pitt's letter, cited by the British Plenipotentiaries, far from contradicting that position, goes still further. It states that 'the fixation of the new limits to Canada, as proposed by France, is intended to shorten the extent of Canada, which was to be ceded to England, and to lengthen the boundaries of Louisiana, which France was to keep, and in the view to establish what must not be admitted, namely, that all which is not Canada is Louisiana, whereby all the intermediate nations and countries, the true barrier to each province, would be given up to France.' This is precisely the principle uniformly supported by the undersigned, to wit, that the recognition of a boundary gives up to the nation, in whose behalf it is made, all the Indian tribes and countries within that boundary. It was on this principle that the undersigned have confidently relied on the treaty of 1783, what fixes and recognizes the boundary of the U. S. without making any reservation respecting Indian tribes.

But the British Plenipotentiaries, unable to produce a solitary precedent of one European power treating for the savages inhabiting within the dominions of another, have been compelled, in support of their principle, to refer to the German empire, a body consisting of several independent states, recognized as such by the whole world, and separately maintaining with foreign powers the relations belonging to such a condition. Can it be necessary to prove that there is no sort of analogy between the political situation of these civilized communities, and that of the wandering tribes of North American savages?

In referring to what the British Plenipotentiaries represent as alarming and novel pretensions, what G. Britain can never recognize, the undersigned might complain that these alledged pretensions have not been stated, either in terms or in substance, as expressed by themselves. This, however, is the less material, as any further recognition of them by G. Britain is not necessary nor required. On the other hand, they can never admit nor recognize the principles or pretensions asserted in the course of this correspondence by the British Plenipotentiaries, and which, to them, appear novel and alarming.

The article proposed by the British Plenipotentiaries, in their last note, not including the Indian tribes as parties in the peace, and leaving the U. States free to effect its object in the mode consonant with the relations, which they have constantly maintained with those tribes, partaking also of the nature of an amnesty, and being at the same time reciprocal, is not liable to that objection; and accords with the views uniformly professed by the undersigned, of placing these tribes precisely, and in every respect, in the same situation as that in which they stood before the commencement of hostilities. This article, thus proposing only what the undersigned have so often assured the British Plenipotentiaries would necessarily follow, if indeed it has not already, as is highly probable, preceded a peace between G. Britain and the U. States. The undersigned agree to admit it, in substance, as a provisional article, subject, in the manner originally proposed by the British government, to the approbation or rejection of the government of the U. States, which, having given no instructions to the undersigned on this point, cannot be bound by any article they may admit on the subject.

It will, of course, be understood, that if, unhappily peace should not be the result of the present negotiation, the article thus conditionally agreed to shall be of no effect, and shall not, in any future negotiation, be brought forward by either party, by way of argument or precedent.

This article having been presented as an indispensable preliminary, and being now accepted, the undersigned request the British Plenipotentiaries to communicate to them the project of a treaty embracing all the points deemed material by G. Britain; the undersigned engaging on their part to deliver immediately after, a counter project with respect to all the articles to which they may not agree, and on the subject deemed material by the U. States, and, which may be omitted in the British project.

JOHN Q. ADAMS,	JONA. RUSSELL,
J. A. BAYARD,	A. GALLATIN.
H. CLAY,	

*The British to the American Commissioners.*

GHENT, October 21, 1814.

The undersigned have had the honor of receiving the note of the American Plenipotentiaries of the 13th inst

communicating their acceptance of the article which the undersigned had proposed on the subject of the pacification and rights of the Indian nations.

The undersigned are happy in being thus relieved from the necessity of recurring to several topics, which though they arose in the course of their discussions, have only an incidental connection with the difference remaining to be adjusted between the two countries.

With a view to this adjustment the undersigned preferring in the present state of the negotiation a general statement of the formal arrangement of articles, are willing so far to comply with the request of the American Plenipotentiaries contained in their last note, as to waive the advantages to which they think they were fairly entitled, of requiring from them the first project of a treaty.

The undersigned having stated at the first conference the points upon which his majesty's government considered the discussions between the two countries as likely to turn, cannot better satisfy the request of the American Plenipotentiaries than by referring them to that conference for a statement of the points which, in the opinion of his majesty's government yet remains to be adjusted.

With respect to the forcible seizure of mariners from on board merchant vessels on the high seas, and the right of the king of G. Britain to the allegiance of all his subjects, and with respect to the maritime rights of the British empire the undersigned conceive, that after the pretensions asserted by the government of the U. States, a more satisfactory proof of the conciliatory spirit of his Majesty's government cannot be given than not requiring any stipulation on those subjects, which though most important in themselves, no longer in consequence of the maritime pacification of Europe, produce the same practical results.

On the subject of the fisheries the undersigned expressed with so much frankness at the conference already referred to, the views of their government, that they consider any further observations on that topic as unnecessary at the present time.

On the question of the boundary between the dominions of his majesty and those of the U. States, the undersigned are led to expect from the discussion which this subject has already undergone, that the northwest boundary from the lake of the Woods to the Mississippi, the intended arrangement of 1803, will be admitted without objection.

In regard to other boundaries the American Plenipotentiaries in their note of August 24th, appeared in some measure to object to the propositions then made by the undersigned as the basis of *uti possidetis*. The undersigned are willing to treat on that basis, subject to such modifications as mutual convenience may be found to require, and they trust that the American Plenipotentiaries will shew by their ready acceptance of this basis, that they duly appreciate the moderation of his majesty's government in so far consulting the honor and fair pretensions of the U. States as in the relative situation of the two countries, to authorise such a proposition.

The undersigned avail themselves of this opportunity to renew to the American Plenipotentiaries, the assurance of their high consideration.

GAMBIER,  
H. GOULBURN,  
W. ADAMS.

*The American to the British Commissioners.*

GHENT, Oct. 24, 1814.

The undersigned have the honor to acknowledge the receipt of the note of the British Plenipotentiaries of the 21st inst.

Amongst the general observations which the undersigned, in their note of the 24th Aug. made on the propositions then brought forward on the part of the British government, they remarked that these propositions were founded neither on the basis of *uti possidetis*, nor on that of *status ante bellum*. But so far were they from suggesting the *uti possidetis* as the basis on which they were disposed to treat, that in the same note they expressly stated that they had been instructed to conclude a peace on the principles of both parties restoring whatever territory they might have taken. The undersigned also declared in that note, that they had no authority to cede any part of the territory of the U. States, and that no stipulation to that effect would they subscribe; and in the note of the 9th Sept. after having shewn that the basis of *uti possidetis*, such as was known to exist at the commencement of the negotiation, give no claim to his Britannic majesty to cession of territory founded upon the right of conquest, they added that even if the chances of war should give to the British arms a momenta-

ry possession of other parts of the territory of the U. States, such events would not alter their views with regard to the terms of peace to which they would give their consent.

The undersigned can now only repeat those declarations and decline treating upon the basis of *uti possidetis*, or upon any other principle involving a cession of any part of the territory of the U. States. As they have uniformly stated, they can treat only upon the principle of mutual restoration of whatever territory may have been taken by either party. From this principle they cannot recede, and the undersigned after the repeated declarations of the British Plenipotentiaries, that G. Britain had no view to acquisition of territory, in this negotiation, deem it necessary to add, that the utility of its continuance depends on their adherence to this principle.

The undersigned having declared in their note of the 21st of Aug. that although instructed and prepared to enter into an amicable discussion of all the points, on which differences or uncertainty had existed, and which might hereafter tend to interrupt the harmony of the two countries, they would not make the conclusion of the peace at all depend upon a successful result of the discussion, and having since agreed to the preliminary article proposed by the British government, had believed that the negotiation already so long protracted, could not be brought to an early conclusion, otherwise than by the communication of a project embracing all the other specific propositions which G. Britain intended to offer. They repeat their request in that respect and will have no objection to a simultaneous exchange of the projects of both parties. This course will bring fairly into discussion the other topics embraced in the last note of the British Plenipotentiaries, to which the undersigned have thought it necessary to advert at the present time.

The undersigned renew to the British Plenipotentiaries the assurance of their high consideration.

J. Q. ADAMS,

JONA. RUSSELL,

J. A. BAYARD,

A. GALLATIN.

H. CLAY,

*The British to the American Commissioners.*

GHEENT, October 31st, 1814.

The undersigned have the honor to acknowledge the receipt of the note addressed to them by the American Plenipotentiaries on the 24th inst. in which they object to the

basis of *uti possidetis* proposed by the undersigned as that on which they are willing to treat in regard to part of the boundaries between the dominions of his Majesty and those of the U. States.

The American Plenipotentiaries in their note of the 13th inst. requested the undersigned to communicate to them the project of a treaty embracing all the points insisted on by G. Britain, engaging on their part to deliver immediately after a *countre project* as to all the articles to which they might not agree, and as to all the subjects deemed material by the U. States, and omitted in the project of the undersigned.

The undersigned were accordingly instructed to waive the question of etiquette and the advantage which might result from receiving the first communication, and, confiding in the engagement of the American Plenipotentiaries, communicated in their note of the 21st inst. all the points upon which they are instructed to insist.

The American Plenipotentiaries have objected to one essential part of the project thus communicated: but before the undersigned can enter into the discussion on this objection, they must require from the American Plenipotentiaries that, pursuant to their engagement, they will deliver a *countre project* containing all their objections to the points submitted by the undersigned together with a statement of such further points as the government of the U. States consider to be material.

The undersigned are authorised to state distinctly, that the article as to the pacification and rights of the Indian nations having been accepted, they have brought forward in their note of the 21st inst. all the propositions they have to offer. They have no farther demands to make, no other stipulations on which they are instructed to insist, and they are empowered to sign a treaty of peace forthwith in conformity with those stated in their former note.

The undersigned trust, therefore, that the American Plenipotentiaries will no longer hesitate to bring forward in the form of articles or otherwise, as they may prefer, those specific propositions upon which they are empowered to sign a treaty of peace between the two countries.

GAMBIER,  
HENRY GOULBURN,  
W. ADAMS.

**TREATY OF PEACE.****JAMES MADISON,****PRESIDENT OF THE UNITED STATES OF AMERICA:***To all and singular to whom these presents shall come, Greeting :*

**WHEREAS** a treaty of peace and amity between the U. States of America, and his Britannic majesty was signed at Ghent, on the twenty fourth day of December, one thousand eight hundred and fourteen, by the Plenipotentiaries respectively appointed for that purpose ; and the said treaty having been, by and with the advice and consent of the Senate of the U. States, duly accepted, ratified, and confirmed, on the seventeenth day of February, one thousand eight hundred and fifteen ; and ratified copies thereof having been exchanged agreeably to the tenor of the said treaty, which is in the words following, to wit :

*Treaty of peace and amity between his Britannic Majesty and the United States of America.*

His Britannic majesty and the U. States of America, desirous of terminating the war which has unhappily subsisted between the two countries, and of restoring, upon principles of perfect reciprocity, peace, friendship, and good understanding between them, have, for that purpose, appointed their respective Plenipotentiaries, that is to say : his Britannic majesty, on his part, has appointed the right honorable *James lord Gambier*, late Admiral of the white, now Admiral of the redsquadron of his majesty's fleet, *Henry Goulburn*, Esquire, a member of the imperial parliament and under secretary of state, and *William Adams*, Esquire, doctor of civil laws :—and the President of the U. States, by and with the advice and consent of the senate thereof, has appointed *John Quincy Adams*, *James A. Bayard*, *Henry Clay*, *Jonathan Russell*, and *Albert Gallatin*, citizens of the U. States, who after a reciprocal communication of their respective full powers, have agreed upon the following articles :

**ARTICLE THE FIRST.**

There shall be a firm and universal peace between his Britannic majesty and the United States, and between their respective countries, territories, cities, towns, and people of every degree, without exception of places or persons. All hostilities, both by sea and land, shall cease as soon as this treaty shall have been ratified by both parties, as here-

inafter mentioned. All territory, places and possessions whatsoever, taken from either party by the other, during the war, or which may be taken after the signing of this treaty, excepting only the islands hereinafter mentioned, shall be restored without delay, and without causing any destruction, or carrying away any of the artillery or other public property originally captured in the said forts or places, and which shall remain therein upon the exchange of the ratifications of this treaty, or any slaves or other private property. And all archives, records, deeds, and papers, either of a public nature, or belonging to private persons, which, in the course of the war, may have fallen into the hands of the officers of either party, shall be, as far as may be practicable, forthwith restored and delivered to the proper authorities and persons to whom they respectively belong. Such of the islands in the bay of Passamaquoddy as are claimed by both parties, shall remain in the possession of the party in whose occupation they may be at the time of the exchange of the ratifications of this treaty, until the decision respecting the title to the said islands shall have been made in conformity with the fourth article of this treaty. No disposition made by this treaty, as to such possession of the islands and territories claimed by both parties, shall in any manner whatever, be construed to affect the right of either.

#### ARTICLE THE SECOND.

Immediately after the ratification of this treaty by both parties, as hereinafter mentioned, orders shall be sent to the armies, squadrons, officers, subjects and citizens, of the two powers to cease from all hostilities: and to prevent all causes of complaint which might arise on account of the prizes which may be taken at sea after the said ratifications of this treaty, it is reciprocally agreed, that all vessels and effects which may be taken after the space of twelve days from the said ratifications, upon all parts of the coast of North America, from the latitude of twenty-three degrees north, to the latitude of fifty degrees north, and as far eastward in the Atlantic ocean, as the thirty-sixth degree of west longitude from the meridian of Greenwich, shall be restored to each side. That the time shall be thirty days in all other parts of the Atlantic ocean, north of the equinoctial line or equator, and the same time for the British



and Irish channels, for the Gulf of Mexico and all parts of the West Indies ; forty days for the North Seas, for the Baltic, and for all parts of the Mediterranean ; sixty days for the Atlantic ocean south of the equator as far as the latitude of the Cape of Good Hope ; ninety days for every part of the world south of the equator ; and one hundred and twenty days for all other parts of the world, without exception.

#### ARTICLE THE THIRD.

All prisoners of war taken on either side, as well by land as by sea, shall be restored as soon as practicable after the ratification of this treaty, as hereinafter mentioned, on their paying the debts which they may have contracted during their captivity. The two contracting parties respectively engage to discharge in specie, the advances which may have been made by the other for the sustenance and maintenance of such prisoners.

#### ARTICLE THE FOURTH.

Whereas it was stipulated by the second article in the treaty of peace, of one thousand seven hundred and eighty-three, between his Britannic majesty and the U. States of America, that the boundary of the U. States should comprehend all islands within twenty leagues of any part of the shores of the U. States, and lying between lines to be drawn due east from the points where the aforesaid boundaries, between Nova Scotia, on the one part, and East Florida on the other, shall respectively touch the bay of Fundy, and the Atlantic ocean, excepting such islands as now are, or heretofore have been, within the limits of Nova Scotia ; and whereas the several islands in the Bay of Passamaquoddy, which is part of the Bay of Fundy, and the island of Grand Menan in the said Bay of Fundy, are claimed by the U. States as being comprehended within their aforesaid boundaries, which said islands are claimed as belonging to his Britannic majesty, as having been at the time of, and previous to, the aforesaid treaty of one thousand seven hundred and eighty three within the limits of the province of Nova Scotia : in order, therefore, finally to decide upon these claims, it is agreed that they shall be referred to two commissioners, to be appointed in the following manner, viz. one commissioner shall be appointed by his Britannic majesty, and one by the President of the U. States, by and with the advice and consent of the senate

thereof, and the said two commissioners so appointed shall be sworn impartially to examine and decide upon the said claims according to such evidence as shall be laid before them on the part of his Britannic majesty and of the United States respectively. The said commissioners shall meet at St. Andrews, in the province of New Brunswick, and shall have power to adjourn to such other place or places as they shall think fit. The said commissioners shall, by a declaration or report under their hands and seals, decide to which of the two contracting parties the several islands aforesaid do respectively belong, in conformity with the true intent of the said treaty of peace of one thousand seven hundred and eighty-three. And if the said commissioners shall agree in their decision, both parties shall consider such decision as final and conclusive. It is further agreed, that in the event of the two commissioners differing upon all or any of the matters so referred to them, or in the event of both or either of the said commissioners refusing or declining, or wilfully omitting to act as such, they shall make, jointly or separately, a report or reports, as well to the government of his Britannic majesty as to that of the U. States, stating in detail the points on which they differ, and the grounds upon which their respective opinions have been formed, or the grounds upon which they, or either of them, have so refused, declined, or omitted to act. And his Britannic majesty, and the government of the U. States hereby agree to refer the report or reports of the said commissioners, to some friendly sovereign or state, to be then named for that purpose, and who shall be requested to decide on the differences which may be stated in the said report or reports, or upon the report of one commissioner, together with the grounds upon which the other commissioner shall have refused, declined or omitted to act as the case may be. And if the commissioners, so refusing, declining, or omitting to act, shall also wilfully omit to state the grounds upon which he has so done, in such manner that the said statement may be referred to such friendly sovereign or state, together with the report of such other commissioner, then such sovereign or state shall decide *ex parte* upon the said report alone. And his Britannic majesty and the government of the U. States engage to consider the decision of some friendly sovereign or state to be such and conclusive on all the matters so referred.

## ARTICLE THE FIFTH.

Whereas neither that point of the highlands lying due north from the source of the river St. Croix, and designated in the former treaty of peace between the two powers as the northwest angle of Nova Scotia, now the north-westernmost head of Connecticut river has not been ascertained; and whereas that part of the boundary line between the dominion of the two powers which extends from the source of the river St. Croix directly north to the abovementioned north-west angle of Nova Scotia, thence along the said highlands which divide those rivers that empty themselves into the river St. Lawrence from those which fall into the Atlantic ocean to the north-westernmost head of Connecticut river, thence down along the middle of the river to the forty-fifth degree of north latitude; thence by a line due west on said latitude until it strikes the river Iroquois or Cataragny, has not yet been surveyed:—It is agreed that for those several purposes two commissioners shall be appointed, sworn and authorised, to act exactly in the manner directed with respect to those mentioned in the next preceding article, unless otherwise specified in the present article. The said commissioners shall meet at St. Andrews in the province of New-Brunswick, and shall have power to adjourn to such other place or places as they shall think fit. The said commissioners shall have power to ascertain and determine the points above mentioned, in conformity with the provisions of the said treaty of peace of one thousand seven hundred and eighty-three, and shall cause the boundary aforesaid, from the source of the river St. Croix to the river Iroquois or Cataragny, to be surveyed and marked according to the said provisions. The said commissioners shall make a map of the said boundary, and annex to it a declaration under their hands and seals, certifying it to be the true map of the said boundary, and particularizing the latitude and longitude of the north-west angle of Nova Scotia, of the north-westernmost head of Connecticut river, and of such other points of the same boundary as they may deem proper. And both parties agree to consider such map and declaration as finally and conclusively fixing the said boundary. And in the event of the said two commissioners differing, or both, or either of them, refusing or declining, or wilfully omitting to act, such reports, declarations, or statements, shall be made by them, or either of them, and such reference to a friendly sover-

eign or state, shall be made, in all respects as in the latter part of the fourth article is contained, and in as full a manner as if the same was herein repeated.

#### ARTICLE THE SIXTH.

Whereas by the former treaty of peace that portion of the boundary of the U. States from the point where the forty-fifth degree of north latitude strikes the river Iroquois or Cataragny to the lake Superior, was declared to be 'along the middle of said river into lake Ontario, through the middle of said lake until it strikes the communication by water between that lake and lake Erie, thence along the middle of said communication into lake Erie, through the middle of said lake until it arrives at the water communication into the lake Huron, thence through the middle of said lake to the water communication between that lake and lake Superior.' And whereas doubts have arisen what was the middle of said river, lakes, and water communications, and whether certain islands lying in the same were within the dominions of his Britannic majesty or of the U. States; in order, therefore, finally to decide these doubts, they shall be referred to two commissioners, to be appointed, sworn, and authorised to act exactly in the manner directed with respect to those mentioned in the next preceding article, unless otherwise specified in this present article. The said commissioners shall meet, in the first instance, at Albany, in the state of New-York, and shall have power to adjourn to such other place or places as they shall think fit. The said commissioners shall by a report or declaration, under their hands and seals, designate the boundary through the said river, lakes, and water communications, and decide to which of the two contracting parties the several islands lying within the said river, lakes, and water communications, do respectively belong, in conformity with the true intent of the said treaty of one thousand seven hundred and eighty-three. And both parties agree to consider such designation and decision as final and conclusive. And in the event of the said two commissioners differing, or both, or either of them, refusing, declining, or wilfully omitting to act, such reports, declarations, or statements, shall be made by them, or either of them, and such reference to a friendly sovereign or state shall be made in all respects as in the latter part of the fourth article is contained, and in as full a manner as if the same was herein repeated.

**ARTICLE THE SEVENTH.**

It is further agreed that the said two last mentioned commissioners, after they shall have executed the duties assigned to them in the preceding article, shall be, and they are hereby authorised, upon their oaths impartially to fix and determine, according to the true intent of the said treaty of peace, of one thousand seven hundred and eighty-three, that part of the boundary between the dominions of the two powers, which extends from the water communication between lake Huron and lake Superior, to the most north-western point of the lake of the Woods, to decide to which of the two parties the several islands lying in the lakes, water communications, and rivers, forming the said boundary, do respectively belong, in conformity with the true intent of the said treaty of peace of one thousand seven hundred and eighty-three; and to cause such parts of the said boundary, as require it, to be surveyed and marked. The said commissioners shall, by a report or declaration under their hands and seals, designate the boundary aforesaid, state their decision on the points thus referred to them, and particularise the latitude and longitude of the most north-westernmost point of the lake of the Woods, and of such other parts of the said boundary as they may deem proper. And both parties agree to consider such designation and decision as final and conclusive. And in the event of the said two commissioners differing, or both, or either of them refusing, declining, or wilfully omitting to act, such reports, declarations, or statements, shall be made by them, or either of them, and such reference to a friendly sovereign or state, shall be made in all respects, as in the latter part of the fourth article is contained, and in as full a manner as if the same was herein repeated.

**ARTICLE THE EIGHTH.**

The several boards of two commissioners mentioned in the four preceding articles, shall respectively have power to appoint a secretary, and to employ such surveyors or other persons as they shall judge necessary. Duplicates of all their respective reports, declarations, statements, and decisions, and of their accounts, and of the journal of their proceedings shall be delivered by them to the agents of his Britannic majesty, and to the agents of the U. States who may be respectively appointed and authorised to manage the business on behalf of their respective governments. The said commissioners shall be respectively paid in such man-

ner as shall be agreed between the two contracting parties, such agreement being to be settled at the time of the exchange of the ratifications of this treaty.—And all other expences attending the said commissioners shall be defrayed equally by the two parties. And in the case of death, sickness, resignation, or necessary absence, the place of every such commissioner respectively shall be supplied in the same manner as such commissioner was first appointed, and the new commissioner shall take the same oath or affirmation, and do the same duties. It is further agreed between the two contracting parties, that in case any of the Islands mentioned in any of the preceding articles, which were in possession of one of the parties prior to the commencement of the present war between the two countries, should by the decision of any of the boards of commissioners aforesaid, or of the sovereign or state so referred to as in the four next preceding articles contained, fall within the dominions of the other party, all grants of land made previous to the commencement of the war by the party having had such possession, shall be as valid as if such Island or Islands, had by such decision or decisions, been adjudged to be within the dominions of the party having had such possession.

#### ARTICLE THE NINTH.

The U. States of America engage to put an end, immediately after the ratification of the present treaty, to hostilities, with all the tribes or nations of Indians with whom they may be at war, at the time of such ratification, and forthwith to restore to such tribes or nations, respectively, all the possessions, rights and privileges, which they may have enjoyed or been entitled to in 1811, previous to such hostilities: provided always, that such tribes or nations shall agree to desist from all hostilities against the U. States of America, their citizens and subjects, upon the ratification of the present treaty being notified to such tribes or nations, and shall so desist accordingly. And his Britannic majesty engages, on his part, to put an end, immediately after the ratification of the present treaty, to hostilities, with all the tribes or nations of Indians with whom he may be at war, at the time of such ratification, and forthwith to restore to such tribes or nations respectively, all the possessions, rights and privileges, which they may have enjoyed or been entitled to in the year 1811, previous

to such hostilities : provided always, that such tribes or nations shall agree to desist from all hostilities against his Britannic majesty and his subjects, upon the ratification of the present treaty being notified to such tribes or nations, and shall so desist accordingly.

#### ARTICLE THE TENTH.

Whereas the traffic in slaves is irreconcilable with the principles of humanity and justice, and whereas both his Majesty and the United States are desirous of continuing their efforts to promote its entire abolition, it is hereby agreed that both the contracting parties shall use their best endeavors to accomplish so desirable an object.

#### ARTICLE THE ELEVENTH.

This treaty, when the same shall have been ratified on both sides, without alteration by either of the contracting parties, and the ratifications mutually exchanged, shall be binding on both parties, and the ratifications shall be exchanged at Washington, in the space of four months from this day or sooner if practicable.

In faith whereof, we, the respective Plenipotentiaries, have signed this treaty, and have thereunto affixed our seals.

Done, in triplicate, at Ghent, the twenty-fourth day of December, one thousand eight hundred and fourteen.

(L. S.)

GAMBIER,

(L. S.)

HENRY GOULBURN,

(L. S.)

WILLIAM ADAMS,

(L. S.)

JOHN Q. ADAMS,

(L. S.)

J. A. BAYARD,

(L. S.)

H. CLAY,

(L. S.)

JONA. RUSSELL,

(L. S.)

A. GALLATIN.

Now therefore, to the end that the said treaty of peace and amity may be observed with good faith, on the part of the U. States, I, James Madison, President as aforesaid, have caused the premises to be made public; and I do hereby enjoin all persons bearing office, civil or military, within the U. States, and all other citizens or inhabitants thereof, or being within the same, faithfully to observe and fulfil the said treaty and every clause and article thereof.

In testimony whereof, I have caused the seal of the U. States to be affixed to these presents, and signed the same with my hand.

Done at the city of Washington, this eighteenth day of February, in the year of our Lord one thousand eight hundred and fifteen, and of the sovereignty and independence of the U. States the thirty ninth.

By the President,

JAMES MADISON.

JAMES MONROE, *Acting Secretary of State.*

# LIST OF VESSELS

TAKEN FROM GREAT BRITAIN, BY THE PUBLIC AND  
PRIVATE ARMED VESSELS OF THE UNITED STATES,  
DURING THE WAR.

	Names of vessels.	Guns.	Men.	Taken by the	Arrived at
1	sch'r. Whiting*	4	20	Dash	Hampton Roads
2	brig Ulysses			Paul Jones	Norfolk
3	brig Gypsy			do.	New-York
4	brig Pickering			do.	Gloucester
5	ship Roba & Betsey			do.	Charleston
6	ship Margaret	2	13	Teazer	Portland
7	transport No. 50*	2	12	Madison	Gloucester
8	brig Bloodhound*	12	60	Cora	Annapolis
9	sloop—			N. Y. Militia	Putneyville
10-20	11 transport boats*			do.	Ogdensburg
21	ship Concord	4		Fame	Salem
22	brig Elbe			do.	do.
23	brig Herman			Dolphin.	do.
24-25	a brig and sch'r			do.	do.
26	ship Jane	14		Madison	Gloucester
27	ship Emperor			Gun Boats†	St. Mary's
28	ship Experiment			do.	do.
29-32	4 ships and brigs			do.	do.
33	sch'r Wade			Revenue Cutter†	Amelia
34	brig Eliza	6		Madison	Salem
35-37	3 shallops			Lion	Marblehead
38	brig—	6		Lion & Snowbird	do.
39	sloop Endeavor			Polly	Salem
40	brig Juno			Madison	do.
41	ship—			do.	Cape Ann
42	brig—			do.	do.
43-45	3 sch'rs			Jefferson	Salem
46	brig Wabisch			Dolphin	do.
47	sch'r Ann			Nonpareil	Charleston
48†	sch'r Pindar			Gun Boats†	Amelia
49	ship Jarrett	2	18	Fair trader	Salem
50-52	3 schooners			do.	do.
53	schooner—			Dolphin	made a cartel
54	sch'r Ann			do.	Salem
55-58	4 schooners			Jeffer & Dolphin	do.
59	brig—			Dolphin	do.
60	schooner—			Lion	Marblehead
61	schooner—			Argus	Portland
62	sloop—			Polly	Salem
63	sch'r Fanny			Dolphin	Baltimore
64-65	2 schooners			Buckskin	Salem

Note. Those marked with a [\*] were H. B. Majesty's public vessels.  
And those with a [†] are U. S. public vessels.



66	brig Lamprey			F. Essex†	Baltimore
67	transport brig*	197		do.	ransomed
68	sch'r Mary Ann			Buckskin	Salem
69	ship Mary	14		Dolphin	do.
70	sch'r—			Fair Trader	Wiscasset
71	sch'r Diligent			Polly	Salem
72-73	2 schooners			Snowbird	do.
74	a snow	6		Rev. Cutter†	Savannah
75	sch'r Jane			Dolphin	Marblehead
76	ship Ann Green	10		Gossamer	Boston
77	barque St. Andrews	8		Rapid	Portland
78	brig Shamrock	6	16	Rev. Cutter†	Savannah
79	sch'r Sally			Teazer	made a cartel
80	sch'r Nelson			Buckskin	Salem
81	schooner—			Fame	do.
82	sch'r 3 Brothers			Wiley Reynard	Boston
83	barque			Catherine	Portland
84	brig—			Polly	ransomed
85	ship Henry	10		Comet	Baltimore
86	sch'r Alfred			Spencer	do.
87	sch'r Eliza			Polly	Salem
88	br Lady Sherbroke	4		Marengo	New-York
89	br. Eliza & Esther			Gov. M'Kean	Philadelphia
90	ship Boyd	10		Globe	do.
91	brig Ranger	6		Matilda	do.
92	sch'r Polly			Wiley Reynard	Boston
93-95	3 brigs			do.	Wiscasset
96	sloop Mary Ann			Paul Jones	Philadelphia
97	ship Hassan	14	20	do.	Savannah
98	brig Harmony	4	28	Yankee	New York
99	brig—			do.	made a cartel
100	ship Briganza	12	21	Tom	Baltimore
101	brig Waldo			Teazer	Portland
102	sch'r Ann	4		Globe	Baltimore
103	sh. Prince Adolphus	8	86	Gov M'Kean	Philadelphia
104	ship			Teazer	Portland
105	sch'r Harriet			High Flyer	Baltimore
106	brig Ceres			John	Salem
107	brig—			Lynn	Gloucester
108	brig William			Rossie	Boston
109-115	ships & brigs			do.	burnt
116-117	brig & schooner		108	do.	made a cartel
118	sch'r Industry			Benj. Franklin	New-York
119	sch'r Perseverance			Nonsuch	Charleston
120	ship Simon Clark	16	39	Globe	Norfolk
121	Honduras Packet*	2	12	Mary-Ann	Charleston
122	brig Amelia	10	17	do.	do.
123	sch'r Mary			do.	burnt
124	schooner—			do.	made a cartel
125	sch'r Union			John	Salem
126	brig Elizabeth	4	12	John	Salem
127-129	brigs			do.	ransomed
130-131	sch'r & sloop			Orlando	Gloucester

132	brig Gen. Blake			Revenue Cutter	Charleston
133	brig—			Bunker Hill	do.
134	brig James			do.	Falmouth
135	ship Apollo	8		John	Salem
136	ship Royal Bounty	10	23	Yankee	sunk
137	brig Mary		47	do.	made a cartel
138	chr. Venus			Teazer	Portland
139	ship Osborn	10	18	do.	do.
140	brig Eliza			Marengo	New York
141	brig Richard			Industry	Marblehead
142	brig Nancy			Fair Trader	Salem
143	brig—			Bunker Hill	New York
144	chr.—			Leander	Providence
145	brig Leonidas	14		Mars	Savannah
146	chr. Sky Lark			Bunker Hill	New York
147	brig Lady Prevost			Marengo	do.
148	brig Friends			Benj. Franklin	Boston
149	brig Mary			do.	do.
150	ship Jane	12	18	Rossie	Salem
151	ship John	16	30	F. President†	Philadelphia
152	chr.—			Teazer	Portland
153	ship Grenada	11	30	Young Eagle	Charleston
154	sch'r Shaddock	2	10	do.	do.
155	barque Diana			High Flyer	Savannah
156	brig Roe buck			Rosamand	Norfolk
157	ship Guerrieres*	49	302	F. Constitution†	burnt
158	brig Lady Warren			do.	do.
159	brig Abona			do.	do.
160	barque Harriet			do.	do.
161	brig Dutchess			F. Congress†	do.
162	brig Traveller			do.	do.
163	brig Henry			Yankee	Newport
164	ship Hopewell	14	25	Comet	Baltimore
165	brig Hazard	6		ship Wasp†	Boston
166	sch'r Phoebe			Squando	Portsmouth
167	brig Thetis			Yankee	burnt
168	brig Alfred			do.	do.
169	brig Antelope			Dolphin	Salem
170	ship Kitty			Rossie	Portland
171	sch'r Spunk			Fair Trader	Salem
172	sch'r Providence			Wiley Reynard	New York
173	ship Guayana	8		Dromo	Salem
174	bar duke of savoy	8		Decatur	do.
175	ship Pursuit			Atlas	Philadelphia
176	ship Evergreen.			Dolphin	Salem
177	brig New Liverpool	4		Yankee	New York
178	ship Mary Ann	12	18	High Flyer	Charleston
179	ship Elizabetha	10		Sarah-Ann	do.
180	sch'r James			Dolphin	Baltimore
181	brig Pursuit			Rapid	Portland
182	brig Tay			do.	do.
183	ship Britannia	6		Thrasher	do
184	brig Howe	6		Dart	do

185	brig Elizabeth			Decatur	Newport
186	ship Jamaica	7	21	High Flyer	Baltimore
187	brig Alert*	20	122	F. Essex†	New-York
188	transport ship*		378	do.	made a cartel
189	brig King George			do.	Boston
190	ship—	14	25	Revenge	Portland
191	brig Ocean	7	26	Saratoga	New York
192	brig Tulip			Atlas	Philadelphia
193	ship Esther	12	25	Montgomery	Glooucester
194	sch'r Venus			Saratoga	New York
195	ship Quebec	16	52	do.	do.
196	ship Richmond	14	25	Thomas	Portland
197	ship Adonis	12	25	Montgomery	Salem
198	ship Falmouth	14	30	Thomas	Portsmouth
199	brig Two Friends			Benj. Franklin	Boston
200	snow Two Friends	6		Dart	do.
201	brig William			Rossie	do.
202	sch'r Trial			Leander	Providence
203	sch John & George			Regulator	Boston
204	ship—			Poor Sailor	Wilmington
205	brig—			Dart	Portland
206	sch'r Mary Ann			Black Joke	Norfolk
207	brig Laura*	10	60	Diligent	Philadelphia
208	sch'r Rising States			do.	do.
209	brig Hannah			Montgomery	Salem
210	sch'r Mary			do.	do.
211	brig—			Dart	Castine
212	brig Pomona	2		Decatur	made a cartel
213	brig Devonshire			do.	France
214	brig Concord			do.	burnt
215	brig Hope			do.	made a cartel
216	sch'r Minorca			Wasp	Savannah
217	barque Charlotte			Decatur	Boston
218	ship Mariana			Gov. M'Kean	Norfolk
219	brig Diana			Dart†	Portland
220	brig—			Teazer	do.
221	brig Isabella			do.	do.
222	ship—			Decatur	Marblehead
223-225	3 vessels			Dolphin	burnt
226	ship John	14	35	Comet	Baltimore
227	ship Commerce	14	25	Decatur	Portland
228	brig Industry	10	20	Comet	Wilmington
229	privateer Nassau	4	30	Dolphin	Baltimore
230	privateer brig	8	40	Rapid	burnt
231	brig Tor Abbey			Thresher	Cape Ann
232	brig Mary			Benj. Franklin	Charleston
233	ship Princes Amelia	10	30	Rossie	Savannah
234	schooner—			Teazer	Portland
235	brig—			Marengo	Newburyport
236	brig Orient			Teazer	Portland

Those in *italic* are Letters of Marque vessels.

† This Privateer came into the harbor of Portland, triumphantly mounted on the deck of her prize!!!

237	sch'r Jenny		Teazer	Portland
238	sch'r Adelia		Rosamond	New-York
239	brig Point Shares		Baltimore	Baltimore
240	brig San Antonio		Marengo	Philadelphia
241	brig Detroit*	18 78	Gun Boats†	burnt
242	sch'r Caledonia*	4 16	do.	Black Rock
243	sch'r Single-Cap		Matilda	New-Orleans
244	sch'r Fame		Nonsuch	Savannah
245	ship Phoenix	12 17	Mary Ann	Charleston
246	brig Concord		do.	do.
247	brig Favorite	2	Industry	Lynn
248	brig sir John Moore		do.	do.
249	brig lord Sheffield		Marengo	burnt
250	sch'r Betsey Ann		Fame	Salem
251	brig William		Montgomery	do.
252	brig Henry		John	do.
253	sch'r Four Brothers		Fame	do.
254	sch'r Four Sons		do.	do.
255-256	2 schooners		Dart	Portland
257	sch'r Antelope		Rosamond	Charleston
258	sch'r Dawson		Wasp	Savannah
259	brig Diamond	10	Alfred	Salem
260	brig George	12	do.	do.
261	brig Neptune		John	do.
262	ship Jane		do.	do.
263	schooner—		Saucy Jack	made a cartel
264	sloop Louisa Ann		Benj. Franklin	Portland
265	ship Venus		Two Brothers	burnt
266	br Jas & Charlotte		America	Salem
267	brig Fr. Blake		Nonsuch	Charleston
268	brig Swallow*	14 30	F. President†	Baltimore
269	brig Porgie		High Flyer	Norfolk
270	ship Ned	10 16	John & George	Salem
271	sch'r Sisters		Fame	do.
272	sch'r Comet	2	Rapid	Savannah
273	privateer Schorcher	1 20	do.	burnt
274	sch'r Mary		do.	ransomed
275	sch'r Mary Hall		ship Gen. Pike†	Sackett's Harbor
276	sloop Elizabeth		do.	do.
277	transport schooner*		do.	burnt
278	brig Union	6	Gen. Armstrong	Boston
279	sch'r Neptune		Revenge	Cape Ann
280	barque Fisher		Fox	Portland
281	brig James Bray		Bunker Hill	Boston
282	brig lady Harriot		orders in Council	New-York
283-285	3 vessels		do.	ransomed
286	brig Freedom	6	Thorn	Marblehead
287	sch'r America		Fame & Dromo	Salem
288	brig—		Joel Barlow	New-London
289	packet John Bull*		Rover	destroyed
290	ship Argo	12 26	F. President†	Baltimore
291	F. Macedonian*	49 30	F. United States†	New-York
292	ship J. Hamilton	16 30	Dolphin	Baltimore

293	brig—		brig Argus†	Hampton Roads
294	sch'r Lorain		Revenge	Philadelphia
295	brig Bacchus		do.	Salem
296	brig Venus		Polly	Savannah
297-306	nine vessels		Patriot	sunk & burnt
307	packet Townsend*	28	Tom	ransomed
308	packet Burchall*		Highflyer	Baltimore
309	sch'r—	74	do.	made a cartel
310	brig Criterion		do.	New York
311	sch'r Neptune		Revenge	made a cartel
312	brig Neptune		Roba	Portland
313	sch'r—		Revenge	burnt
314	brig Fancy		Joel Barlow	New London
315	sloop Nelly		Revenge	Philadelphia
316	* brig Devonshire		Decatur	France
317	sch'r—		Retaliation	New York
318	ship James	22	Gen. Armstrong	destroyed
319	brig Two Brothers	10	Benj. Franklin	New York
320	brig Active	18	Highflyer	Charleston
321	brig—		Dart	Portland
322	brig Pomona	8	Leo	Belfast
323	ship Betsey	5	Revenge	Wilmington
324	brig Dart	8	America	Salem
325	ship queen	16	Gen. Armstrong	Wrecked
326	brig Charlotte	10	America	Salem
327	sch'r William	2	Liberty	Savannah
328	brig Recovery		brig Argus†	New York
329	brig Lucy & Alida		Revenge	Norfolk
330-333	three vessels		Jack's Favorite	burnt
334	sch'r Swift		Rolla	do.
335	sch'r—	150	Rolla	made a cartel
336	sloop Reasonable		Liberty	destroyed
337	sch'r Maria		do.	ransomed
338	sch'r Catherine	3	Lady Madison	Charleston
339	sch'r Maria	24	do.	made a cartel
340	ship Rio Nouva	18	Rolla	New York
341	sch'r Rebecca	24	Jack's Favorite	New London
342	brig—		Ned	Ocracoke
343	privateer Richard	4	Holkar	Savannah
344	ship Hope	12	America	Marblehead
345	ship Ralph	10	do.	Portland
346	ship Euphemia	10	do.	do.
347	brig—		Decatur	France
348	schooner—		do.	do.
349	sch'r Meadaw	14	Sparrow	ransomed
350	ship Mary		Rolla	Newport
351	sch'r Erin		Eagle	Charleston
352	packet Nocton*	6	F. Essex†	made U. S. vessel
353	brig Burrossa		Rolla	Martha's Vineyard
354	sch'r Mary		Eagle	Charleston
355	brig Peggy		Hunter	Boston
356	ship Arabella	8	Growler	New London
357	brig Andalusia	10	Yankee	Savannah

858-359	brig & sloop			Yankee	ransomed
860	F. Java*	49	438	F. Constitution	burnt
861	brig—			Growler	ransomed
862	ship Diligence*	27	60	Eastport militia	Machias
863	schooner—			Gallinipper	ransomed
864	ship Neptune	10		Decatur	Portland
365-366	two vessels			do.	France
367	ship—			America	Kennebunk
368	ship volunteer	12		F. Chesapeake†	Portsmouth
369	ship—			do.	burnt
370	sch'r Ellen	20		S. Hornet†	New Castle
371	ship Jane			Spy	New Orleans
372	sch'r Pr of Wales	12		Growler	ransomed
373	ship Aurora			Holkar	Newport
374-375	two vessels			Mars	made cartels
376	brig Pelican			do.	Charleston
377	ship—	12	74	Lady Madison	Newburn
378	brig Emu*	10		Growler	Marblehead
379	brig Arm	10		do.	do.
380	brig—			United we stand	Savannah
381	sch'r Sabine			Erie Militia	burnt
382	transport Canada*	12	120	Paul Jones	made a cartel
383	brig Isabella			do.	do.
384	brig 3 Brothers	12		Dolphin	New York
385	sloop Mary Ann*	4		Yankee	burnt
386	privateer Andalusia	10	100	do.	Savannah
387	sch'r George			do.	made a cartel
388	ship Albion	12	25	Hazard	St. Mary's
389	brig Harriot	8	14	Yankee	Boston
390	ship Nelson			Decatur	New Orleans
391	ship Neptune			Saratoga	do.
392	ship—	9		Bona	Newport
393	brig—	12		Dolphin	New London
394	schooner—			Lovely Lass	New Orleans
395	brig Shannon	12		Yankee	Bristol
396	brig Ceres			Paul Jones	Chatham
397	ship Mentor	12		Saucy Jack	New Orleans
398	sch'r Huzzar			Liberty	Savannah
399	brig Resolution	10		ship Hornet†	burnt
400	ship Peacock*	22	13 <sup>1</sup>	do.	sunk
401	brig Antrim			Saucy Jack	New Orleans
402	brig Fly			Yankee	Charleston
403	schooner—			do.	Tarpaulin Cove
404	brig Earl Percy			Chesapeake†	New York
405	brig Hero			do.	burnt
406	brig Rover	8		Alfred	Salem
407	transport Alder*	6		Yankee	Bristol
408	brig Return			Paul Jones	Chatham
409	brig Thomas	10		Yankee	Boston
410-412	three vessels			Snap Dragon	burnt
413-415	three vessels			do.	made cartels
416	sloop—			do.	made a tender
417-418	two vessels			Divided we Fall	ransomed

419	brig—			Divided we Fall	sunk
420-422	three vessels			do.	ransomed
423	privateer Caledonia	8	50	sch'r Nonsucht	Charleston
424	brig Tartar			Gen. Armstrong	Georgetown
425	tender Fox*	3	25	Hero	Mystic
426	br. London Packet			Paul Jones	wrecked
427	sch'r Farmer			Sparrow	given up
428	schooner—			Wasp	Machias
429	privateer Crown	10	36	milit volunteers	Waldeborough
430	ship Francis			T. B. Yankee	Brest, (France)
431	brig Malvina	10	30	Ned	Wilmington
432	brig Charlotte			Montgomery	Salem
433	Du. of Gloucester*	10		ship Madison	Sackett's Harbor
434	priv. sch'r Richard			Holkar	Savannah
435	priv. sloop Dorcas			do.	made a cartel
436	brig Edward	8		Alexander	Salem
437	sch'r Hope			do.	made a cartel
438	brig—			Fox	Portsmouth
439	ship Nancy	16		York Town	Bristol
440	schooner—	8		ship Gen. Pike†	Sackett's Harbor
441	sch'r Delight			Fame	Machias
442	packet Mary Ann*	12	38	Gov. Tompkins	Boston
443	ship Dromo	12		Thomas	Wiscasset
444	brig—			do.	Boothbay
445	Invinc. Napoleon†	16		Young Teazer	Portland
446	packet Ann*	10		do.	do.
447	sch'r Greyhound			do.	do.
448	brig Mary			Anaconda	New London
449	br Kingston Packet			Globe	Ocracoke
450	brig Mutiny	14		do.	Béaufort
451	br S Geo. Prevost			Rolla	New Orleans
452	priv. L. Packet	6	33	Thames	Portsmouth
453	King's Packet*	14	40	Anaconda	Ocracoke
454	brig David			Gov. Plumer	Portsmouth
455	Packets*			Anaconda	made a cartel
456	ship Mary	8		do.	New Haven
457	ship William	10		Grand Turk	Salem
458	brig Harriot			Anaconda	New Bedford
459	brig Mars			Fox	Portsmouth
460	sch'r Pearl			Liberty	Savannah
461	privateer sloop	8	40	do.	made a cartel
462	brig—			Gov. Plumer	burnt
463	brig—			Sabine	do.
464	brig Dinah			Globe	Ocracoke
465	sch'r Britannia			Grand Turk	Portland
466	ship Loyal Sam	10	30	Siro	Charleston
467	ship Venus	14		Globe	Beaufort
468	ship Susan			Siro	France
469	ship Seaton			Paul Jones	burnt

† This ship was originally a French privateer, and captured by H. B. Majesty's ship *Mutine*; re captured by the *Alexander* of Salem; re-re captured by his H. B. Majesty's frigate *Shannon*, and re-re-re captured by the *Teazer* of New-York, and sent into Portland!!

470	brig Margaret	10	America	Salem
471	trans. Ly. Murray*	2	L. of the Lake†	Sackett's Harbor
472	brig Morton	12	Yorktown	made a cartel
473-475	3 vessels		Young Teazer	Portland
476	brig Sally	4	Benj. Franklin	ransomed
477	brig—		Teazer	New York
478	brig Hero		do.	Castine
479	brig Resolution		Nancy	Portland
480	brig Hero		F. Essex†	burnt
481	brig James & Sarah		do.	ransomed
482	brig—		Marengo	New London
483	brig—	6	Gen. Armstrong	Martha's Vineyard
484	brig James		orders in council	New York
485	brig Sally		John	Boston
486	brig Ann		Teazer	Portsmouth
487	brig Thomas		Decatur	made a cartel
488	brig —	2	Holkar	New York
489	barque	14	Dolphin	burnt
490	ship Betsey		Revenge	Wilmington
491	ship Eliza		Yankee	Boston
492	sch'r Success		Benj. Franklin	ransomed
493	sch'r Lady Clark		Bunker Hill	New York
494	sch'r Sally		Wiley Reynard	Boston
495	sch'r Blonde		John	ransomed
496	sch'r Ann		do.	Salem
497	sch'r Dorcas		Liberty	ransomed
498	sloop Eagle*	4	Gun Boats†	New York
499	brig Union	13	T. B. Yankee	France
500	ship Aurora		do.	do.
501	ship —	20	Rambler	recked
502	ship Integrity		T. B. Yankee	Norway
503	brig Avery	16	Yorktown	New Bedford
504	ship Susan		do.	France
505	ship Fox	10	brig Argus†	20 sunk
506	sch'r Leonard		T. B. Yankee	do.
507	brig Betsey		Jack's Favorite	Plymouth
508-510	3 vessels		America	made cartels
511	sch'r —		Fox	ransomed
512	brig —		Yankee	Bristol
513-527	G B & 14 transp*	4	2 row boats†	65 Sackett's Harbor
528	sch'r Three Sisters		Saucy Jack	St. Mary's
529	sch'r Gen. Hosford		Decatur	Savannah
530	brig Nelly		Fox	burnt
531	sloop Peggy		do.	ransomed
532	sch'r Broth. & Sister		do.	burnt
533	brig Louisa		do.	ransomed
534	sloop Fox		do.	Norway
535	sloop William		do.	France
536	sloop Ja & Eliza		do.	ransomed
537	brig Chance		do.	Norway
538	brig Mary		do.	burnt
539	ship Venus		Dolphin	Salem
540	brig Morton		Yorktown	Wilmington



541	sch'r Dominica*	1588	Decatur	Charleston
542	ship Long Trader	2	do.	do.
543-547	five brigs		Snap Dragon	destroyed
548	privateer Fly	530	brig Enterprize†	Portsmouth
549	sch'r Ceres		Yankee	made a cartel
550	barque Henrietta		Snap Dragon	Beaufort
551	brig Ann		do.	do.
552	sch'r Flying Fish		Saucy Jack	ransomed
553	sloop Catherine		do.	Cape Henry
554	sch'r Kate		do.	do.
555	ship Louisa	10	do.	burnt
556	brig 3 Brothers	10	do.	St. Mary's
557	brig Earl of Moira		Industry	Machias
558	schooner—		Terrible	Eastport
559-560	two vessels		Swiftsure	Machias
561	sch'r Louisa	126	Expedition	Newport
562	priv. Kg. of Rome	1040	brig Argus†	destroyed
563	ship—		F. President†	France
564	schooner—		do.	do.
565-567	three vessels		F. B. Yankee	do.
568-569	two vessels		Leo	do.
570	brig—		Brutus	ransomed
571	schooner—		Gen. Armstrong	burnt
572	brig Boxer*	1896	brig Enterprize†	Portland
573	schooner—		Male and crew	Castine
574	schooner—		Terrible	ransomed
575	brig Jaue		Snap Dragon	Newbern
576	brig—		Grampus	burnt
577-578	2 vessels		Terrible	Salem
579	sch'r Lilly		Pilot	ransomed
580	brig Mary Ann		do.	do.
581	brig—		Gen. Armstrong	burnt
582-583	a brig and sloop		Industry	Machias
584	packet Lapwing*		Rattlesnake.	made a car
585-586	2 ships		T. B. Yankee	France
587	sloop Traveller		Lark	Machias
588	Duke of Montrose*		F. President†	made a cartel
589	brig Jane and Ann		do.	sunk
590	brig Daphne		do.	do.
591	ship Eliza	8	do.	ransomed
592	brig Alert		do.	burnt
593	barque Lion	8	do.	ransomed
594	sch'r High Flyer*	5	do.	Newport
595	ship Industry		T. B. Yankee	Norway
596	ship Lond. Packet	14	Argus	Boston
597	brig Atlantic		do.	ransomed
598	brig Jane		do.	made a cartel
599	brig Jane		Snap Dragon	ransomed
600	brig Venus		do.	made a cartel
601	sch'r Elizabeth		do.	given up
602	brig Harpy		do.	do.
603	barque Reprisal		do.	ransomed
604	privateer Dart	45	R. cut. Vigilant†	Newport

605	sch'r. Salamanca	6	16	brig Argus†	destroyed
606	brig Susannah			do.	made a cartel
607	brig Richard			do.	burnt
608	brig Fowey			do.	do.
609	sloop Lady Francis			do.	do.
610	trans. Barbadoes*			do.	do.
611	trans. Alliance*			do.	do.
612	sch'r Cordelia			do.	do.
613	ship Betsey			do.	France
614	ship Mariner			do.	sunk
615	sloop—			do.	France
616	brig Helena			do.	made a cartel
617	brig—			do.	burnt
618	brig Diana & Betty			do.	do.
619	ship Defiance			do.	do.
620	brig Baltic			do.	do.
621	sloop—			do.	made a cartel
622	brig Belford			do.	sunk
623	pilot boat sch'r			do.	do.
624	brig—			do.	do.
625	transport Julia*	12	202	ship Madison†	Sacketts Harbor
626	sch'r Growler*	11	42	do.	do.
627-629	3 Gun boats*	6	45	do.	do.
630	Gun boat*	2	15	do.	burnt
631	Packet Morgiana*	18	50	Saratoga	Newport
632	ship—			do.	burnt
633	brig Sarah			do.	do.
634	sch'r—			Gen. Stark	Machias
635	ship Economy			Scourge & Rat	Norway
636	ship Pax			do. the Snake	do.
637	ship Diligent			do.	do.
638	sch'r Liberty			do.	do.
639	brig Betsey			do.	do.
640	brig Hope			do.	do.
641	ship Hull			do.	do.
642	ship Jol. Bachelor			do.	do.
643	ship Experiment.			do.	do.
644	brig Ruby			do.	do.
645	ship Britannia			do.	do.
646	sch'r Prosperous			do.	do.
647	brig Burton			do.	do.
648	ship Latona			do.	do.
649	ship Friends			do.	do.
650	ship Nottingham			do.	do.
651	br Westmoreland			do.	do.
652	brig Brothers			do.	do.
653	sloop Perseverance			do.	do.
654	ship Harford			do.	do.
655	ship Thetis			do.	do.
656	brig Brunswick			do.	do.
657-659	13 vessels			Leo	burnt
670	Gun boat*	1	60	Morgan's rifle	Sacketts Harbor
671	ship Brutus			Rattlesnake	made a cartel

672	sch'r Fame			Saratoga	wrecked
673	ship St. Lawrence			America	Portsmouth
674-675	two vessels			Yankee	made a cartel
676-690	15 vessels			Lady Cordelia	destroyed
691	brig—			do.	wrecked
692	brig President			Polly	Savannah
693	brig Favorite	180		Yankee	made a cartel
694	brig Mary			do.	Chatham
695-696	two ships			Scourge	Norway
697	sch'r Katy			Yankee	New-Bedford
698	schooner—			Water Witch	do.
699	sch'r Ann			Gen. Stark	Machias
700	sloop Eliza			Tim. Pickering	Eastport
701	brig Dart			do.	Salem
702	sloop—			Eastport Fort	Eastport
703	sl G. Hodgkinson			Saratoga	wrecked
704-710	seven vessels			Ogdensburg mil.	Ogdensburg
711	brig Edward			Fox	Folly Landing
712	brig Janstoft			Washington	Portland
713	brig Loyd			Saratoga	burnt
714	ship Vesta	10		do.	ransomed
715	ship Fame			do.	New York
716	sch'r Joseph	29		do.	made a cartel
717	Lady Cockburn			do.	ransomed
718	Sir J. Sherbrooke	10	40	Saucy Jack	St. Mary's
719	ship Manly	4		Revenge	Charleston
720	brig—			Caroline	burnt
721	sch'r Messenger			Comet	Wilmington
722	ship Montezuma	2	21	F. Essex	Peru
723	ship Policy	0	26	do.	Boston
724	ship Georgiana	6	26	do.	made ships
725	ship Atlantic	8	24	do.	of war
726	ship Greenwich	10	25	do.	of 20 guns
727	ship Hector	11	25	F. Essex Junior	Peru
728	ship Catherine	8	29	do.	do.
729	ship Rose	8	75	do.	made a cartel
730	brig Jane	10	17	F. Congress	burnt
731	brig Diana	10	14	do.	made a cartel
732	ship Rose			do.	sunk
733	brig—			Eliza	Wilmington
734	brig Agnes			Saucy Jack	burnt
735	sloop John			do.	ransomed
736	brig Abel			Caroline	Wilmington
737	brig Cossack			Gen. Stark	Georgetown
738	sch'r Jasper			Caroline	do.
739	sch'r Rebecca			Grand Turk	Portsmouth
740	sch'r Agnes			do.	France
741	brig Criterion			Caroline	Stonington
742	sch'r Fanny			Revenge	Charleston
743	sch'r Henry			Roger	do.
744	sch'r Maria			do.	burnt
745	ship Nereid	10		Gov. Tompkins	New York
746-753	eight vessels			T. B. Yankee	burnt

754	ship Castor		T. B. Yankee	given up
755	brig Active		do.	France
756	ship Watson		do.	do.
757	ship Cora		do.	do.
758	brig Eliza		do.	do.
759	sch'r Traveller		Frolic	Squam.
760	sch'r George		Fly	Ellsworth
761	sloop Experiment		do.	Machias
762	sloop Vigilant	430	Comet	Wilmington
763	schooner—		Petapso	Savannah
764	br. Young Husband		Gov. Tompkins	Newport
765-773	nine vessels		Comet	sunk
774	brig Tullock	10	Fox	Gloucester
775	ship Minerva		do.	Portsmouth
776	ship—		Gov. Tompkins	made a cartel
777	brig Isabella		brig Rattlesnake	Wilmington
778	sloop—		General Stark	wrecked
779	sch'r Harmony		Terrible	Portsmouth
780	sloop Humbird		Surprise	Machias
781	brig—		brig Rattlesnake	sunk
782	brig—		Fox	burnt
783	sch'r Mary		Macedonian	ransomed
784	sloop—		Hope	Philadelphia
785	ship Wanderer	7	F. President	sunk
786	ship Edward	6	do.	do.
787	sch'r Jonathan		do.	do.
788	brig Britannia		Mars	New Bedford
789	sch'r Curlew		Alfred	Marblehead
790	brig Terulla		do.	burnt
791	ship Galatea		Chasseur	Beaufort
792	ship James	12	T. B. Yankee	France
793	ship—	16	do.	do.
794-795	two vessels		Frolic	destroyed
796	privateer	630	Leo	Cape Francis
797	ship Sally		Delile	sunk
798	ship—		brig Enterprize	St. Mary's
799	brig Superb		Mars	Charleston
800	privateer Mars	1430	bs. Ratl. & Ent	Wilmington
801	brig Juno		Grand Turk	France
803	brig Friends		Diomed	wrecked
803	sch'r Sea Flower		Tuckahoe	burnt
804	sch'r Hazard		do.	do.
805	brig Sovereign		America	Portsmouth
806	ship Diana		do.	burnt
807	sch'r William		Diomed	Savannah
808	sch'r Mary		do.	New-York
809	brig Bykar		Fox	Gloucester
810	sch'r Hope		Diomed	Bristol
811	brig Rambler		bs. Ratl. & Ent	burnt
812	sch'r Eliza		do.	do.
813	ship Lady Prevost		Invincible	Wilmington
814	sch Susan & Eliza		Mars	do.
815	sch'r—		Viper	Newport

816	schr. Jane		Fairy	Wilmington
817	brig Falcon	10	America	Charleston
818	brig Superb		Mary	New-York
819	schr.—		Viper	Newport
820	ship John		Saucy Jack	Charleston
821	brig Brothers		America	Spain
822	ship Victory	12	Viper	Camden
823-826	four ships		Rattlesnake	Norway
827	ship—		do.	France
828	brig Elizabeth		Caroline	Charleston
829	ship Ann Catharine		Saucy Jack	Savannah
830	schr'r Nimble		do.	Beaufort
831	schr'r Jason		Caroline	burnt
832	schr.—		Kemp	Cape Francois
833	schr. Trinitaria		Saucy Jack	Savannah
834-842	nine vessels		Prin. Neufchate	France
843-851	nine do.		Comet	destroyed
852-855	four vessels		do.	ransomed
856-857	two vessels		do.	Wilmington
858	brig Apollo	6	America	Salem
859	brig Anne		do.	made a cartel
860	cutter Patty		do.	sunk
861	brig—		do.	do.
862	brig Henry	6	Gov. Tompkins	New York
863	brig Abel		do.	Elizabeth City
864	ship—		Invincible	Wilmington
865	schr. Encouragement		Frolic	destroyed
866	brig Two Sisters		Wasp	Philadelphia
867	schr. Hope		America	burnt
868	schr. Sylph		do.	do.
869	schr'r Eclipse		Wasp	Wrecked
870	schr'r Cobham		Jonquilla	Wilmington
871	brig Louisa		Kemp	Elizabeth City
872	ship Hive		Surprise	Norfolk
873	schr'r Pictou*	2	F. Constitution†	sunk
874	ship Lovely Ann		do.	made a cartel
875	schr'r Phoenix		do.	sunk
876	brig Nimble		Invincible	Teneriffe
877	brig Ceres		Grampus	burnt
878	schr.—		Saratoga	New-Bedford
879	schr. Friends Adv'tr.		Fox	Wiscasset
880	brig Fanny		Galloway	France
881	brig—		Fox	burnt
882	schr. Eliza		Snap-Dragon	Beaufort
883	schr'r Kentish		Saratoga	Fairhaven
884	schr. Prince Regent	10	Invincible	ransomed
885	cutter Lyon		do.	given up
886	brig Portsea	8	do.	ransomed
887	brig Conway	10	do.	Portsmouth
888	schr Francis & Lucy		do.	made a cartel
889	brig James		Young Wasp	France
890-891	two vessels		do.	made cartels
892	schr.		boat Alert†	Burlington

893	ship Union			Rambler	wrecked
894	brig Fair Stranger			Fox	Portsmouth
895	transport Mary*	12	82	Rattlesnake	France
896	brig—			Expedition	destroyed
897	sch'r Miranda			Chasseur	do.
898	sloop Martha	4	20	do.	made a cartel
899-900	two vessels			do.	destroyed
901	sch'r Adeline		20	Expedition	New-York
902	brig Experience			Caroline	wrecked
903	ship Experience			Rapid	Savannah
904	sch'r—			Perry	Norfolk
905	sch'r Francis			Midas	burnt
906	sch'r Appellodore			do.	do.
907	sch'r William		29	do.	made a cartel
908	sloop Irwin		30	do.	do.
909	brig Bellona			Globe	Barracoa
910	sch'r Prince			ship Adams†	burnt
911	sch'r Industry			do.	do.
912	sloop—			do.	given up
913	brig Roebuck			do.	made a cartel
914	ship Equity			Rattlesnake	burnt
915	ship Adston			do.	sunk
916	sch'r—			Saratoga	Fairhaven
917	sloop Regent			do.	sunk
918	schr.—			do.	ransomed
919	sloop Epervier*	18	128	brig Peacock†	Savannah
920	sloop Cygnet			Saratoga	Wilmington
921	sch'r Diligence			York	destroyed
922	sloop Bonita			Delisle	do.
923	brig Robert			Zebec Ultor	Charleston
924	brig Favorite			David Porter	given up
925	brig—		10	do.	do.
926	ship Susan		12	do.	ransomed
927	ship Doris			do.	do.
928	brig Curlew			do.	burnt
929	brig—			Rattlesnake	Portsmouth
930	ship James			Young Wasp	ransomed
931	brig Swift	4	15	Zebec Ultor	Baltimore
932	brig Camelion			Mammoth	Portsmouth
933-934	two vessels			Carolina	destroyed
935-944	10 vessels			Tom & Leo	France
945	sch'r Hope			Pike	Saco
946	sch'r Pickrel			do.	sunk
947	ship Pelham		12	Saucy Jack	Charleston
948	ship Fortuna			Roger	Beaufort
949	sch'r—			Viper	Newport
950	ship Phoebe			Hawk	Wilmington
951	brig Kutusoff	10	40	Surprize	Frankfort
952	sch. Young Farmer			Henry Guilder	New-York
953	sch'r Miranda			Chasseur	burnt
954	transport Martha*			do.	made a cartel
955	schr. Ann Maria			do.	burnt
956	schr. William			do.	do.

657	ship Joanna			Chasseur	sunk
958-959	two vessels			James Monroe	burnt
960	sch'r Brilliant	6		Scourge	Boston
961	ship Symmetry			do.	burnt
962	ship Winchester			do.	do.
963	brig Union			do.	do.
964	ship—			do.	do.
965	sloop—			do.	sunk
966	brig Dove			Fox	burnt
967	ship Jane			do.	made a cartel
968	brig Balize	19		do.	Portsmouth
969	ship Mermaid			Gen. Pike	Damarescotta
970	ship Commerce			Lawrence	Portland
971	ship Upton	16	104	Diomede	Wiscasset
972	ship Hero	4	20	prize ship Upton	made a cartel
973	brig Providence			Diomede	sunk
974	brig Harmony			do.	do.
975	brig Recovery			do.	do.
976	brig Melpomene	6		Chasseur	Newport
977	brig Britannia			do.	Beaufort
978	brig—			Roger	Norfolk
979	schooner—			Leo	Newport
980	ship Henry Dundas			Rattlesnake	made a cartel
981	brig Indian Lass	10	30	Grand Turk	Baltimore
982	brig Catherine			do.	burnt
983	sloop Caroline			do.	ransomed
984-988	5 Gun Boats*	10	180	Appling's rifle	Sackett's Harb
989	sch'r Traveller			Diomede	Thomastown
990	brig Ceres			Lawrence	Portland
991	ship Cod Hook			Diomede	Castine
992	sch'r Vittoria			Hero	Charleston
993	ship Joachim			Caroline	do.
994	sch'r Rob Hartwell			Hero	Newbern
995	brig Liddelle	16		Amelia	made a cartel
996	brig Jessie	6	20	do.	burnt
997	sch'r Ann		18	do.	made a cartel
998-999	two vessels			Hero	ransomed
1000	sch'r Octavia			Harrison	Charleston
1001	brig Little Fox			sloop Frolic†	destroyed
1002	schooner—			do.	do.
1003	sch'r Funchell			Hero	Newbern
1004	ship London Packet	12		Chasseur	Portsmouth
1005	brig Astrea	14		Midas	Savannah
1006	privateer Dash	4	40	do.	do.
1007	sch'r Union			Amelia	ransomed
1008	G B Black Snake*	1	20	barge	Sackett's Harb.
1009	ship Friendship			Revenge	destroyed
1010	sch'r Alert			do.	do.
1011	sch'r Active			Fairy	do
1012	sch'r Mary Ann			Revenge	made a cartel
1013	brig Lord Nelson			Zebee Ulto	burnt
1014	sch'r Nancy			do.	do.
1015	schooner—			do.	do.

1166	cutter Jubilee			Whig	made a cartel
1167	sch'r Alexandria			do.	urnt
1168	brig Irish Miner			do	made a cartel
1169	brig Mary			do	destroyed
1170	brig Eliza			do	made a cartel
1171	sch'r Esperance			do	sunk
1172	ship London			do	do
1173	ship Postethwell			do	do
1174	brig Nancy			Portsmouth	Portland
1175	sloop—			do	made a cartel
1176	ship Detroit*	21		Perry's Fleet	Put-in-Bay
1177	ship Q. Charlotte*	18		do	do
1178	brig Lady Prevost*	14		do	do
1179	brig Hunter*	10		do	do
1180	sloop Little Belt*	3		do	do
1181	sch'r Chippeway*	3		do	do
1182	F. Constance*	39	300	M'Dono's Fleet	Plattsburgh
1183	brig Linnet*	16	120	do	do
1184	sloop Chub*	11	40	do	do
1185	sloop Finch*	11	40	do	do
1186-1188	Gun Boats*	6	127	do	sunk
1189	transport Farmer*			Mammouth	do
1190	brig Britannia			do	do
1191-1193	three brigs			do	burnt
1194	br. Fortune of War	3	40	Gun Boats	Sapelo
1195	ship Corontandel	2	66	York	Baltimore
1196	brig Cyrus			do	made a cartel
1197	sloop Regulator			do	Chatham
1198	brig Q. Charlotte			Surprize	destroyed
1199	ship Milnes	2	15	do	burnt
1200	brig Lively			do	do
1201	sch'r P. Regent			do	do
1202	ship Dorris			do	do
1203	brig Willing Maid			do	do
1204	brig Polly	4	15	do	do
1205	sch'r Sally			do	do
1206	privateer Lively	1	17	do	Salem
1207	ship Caledonia			do	ransomed
1208	brig Eagle			do	do
1209	brig Traveller		100	do	made a cartel
1210	brig Wellington		15	do	do
1211	brig Eliza		82	do	do
1212	sch'r Ann			do	Salem
1213	transport Stranger*	66	20	Fox	do
1214-1216	three vessels			Spark	given up
1217	Ketch Expedition			Grampus	New-York
1218	sch'r Charlotte Ann			Surprize	Saco
1219	sch'r William			Viper	Salem
1220	brig Eclipse			Chasseur	New-York
1221	brig Catherine			Grampus	stecked
1222	sch'r Retrieve			Fox	burnt
1223	packet Leith*			sloop Peacock*	do
1224	sch'r. William & Ann			do	do



1225	br. Peggy & Ann		sloop Peaseck†	burnt
1226	cutter Flying Fish		Sabine	Saco
1227	brig Aaron		do.	do.
1228	brig Harvest		York	Machias
1229-1230	two vessels		Green	destroyed
1231	brig Steady		Prin. Neufchatel	burnt
1232	sch'r James		do.	do.
1233	brig Coaliers		Amelia	do.
1234	brig Harmony		do.	made a cartel
1235	brig Elizabeth		do.	burnt
1236	ship—	8	do.	Baltimore
1237	Princess Mary		Whig	burnt
1238	sch'r Eliza		do	made a cartel
1239	brig Stranger		sloop Peacock†	burnt
1240	schooner—		Leach	ransomed
1241	ship Hermes*	28 175	Mobile Fort	blown up
1242	sloop Jane		Prin. Neufchatel	burnt
1243	brig Triton	2	do.	sunk
1244	trans ship Aaron*	4	do.	do.
1245	brig Apollo		do.	do.
1246	cutter Gen. Doyle		do.	do.
1247	sloop George		do.	do.
1248	br. Boswick Packet	65	do.	made a cartel
1249	brig Gibron	4	do.	sunk
1250	brig Nymph		do.	made a cartel
1251	brig Albion	4	do.	burnt
1252	ship Harmony	4	do.	ransomed
1253	brig Charlotte	8	do.	burnt
1254	brig Mary Ann		do.	do.
1255	brig Douglass	10	do.	Nantucket
1256-1257	2 launches*	84	do.	do.
1258	one do.	20	do.	sunk
1259	ship Neptune	8	Amelia	New-York
1260-1265	6 transports*	6 37	Chauncey's Gig†	Sackett's Harb.
1266	sch'r Ann		her own crew	Machias
1267	brig Susan		Fox	burnt
1268	ship James		Portsmouth	Portsmouth
1269	brig Jane		Dash	ransomed
1270	sch'r—		Leo	Wilmington
1271	transport sloop*		brig Eagle†	Plattsburgh
1272	brig Avon*	22 130	ship Wasp	sunk
1273	brig Concord		Siro	made a cartel
1274	brig Speculation		Grampus	do.
1275	br. Sir J. Sherbroke	12	Syren	burnt
1276	ship Adventurer		brig Syren	do.
1277	ship Farmer		Mammoth	do.
1278	sch'r Ann & Eliza		do.	do.
1279	ship Urania		do.	do.
1280	ship Anisba		do.	do.
1281	brig Eliza		do.	made a cartel
1282	ship Dobson		do.	burnt
1283	ship Salinet		do.	made a cartel
1284	sloop Christiana	50	Chasseur	do.

1016	sch'r Samba		zebec Ultor	burnt
1017	schooner—		do.	made a cartel
1018-1019	two vessels		Yankee	Portland
1020	ship St. Jose		do.	do.
1021	privateer Amnesty	124	Zebee Ultor	burnt
1022	sloop Tichler		do.	Wilmington
1023	sch'r Rambler		Perry	do.
1024	sch'r Fairy	8	do.	do.
1025	sch'r Balaboo	650	do.	do.
1026-1043	eighteen vessels		do.	destroyed
1044	ship Friendship		Herald	Wilmington
1045	bomb vessels*		Chauncey's gig	Presque Isle
1046	ship Hugh Jones		Yankee	Bristol
1047	sch'r Fox		Surprize	made a cartel
1048	brig David		do.	destroyed
1049	brig Fidelity		do.	burnt
1050	tenders*	118	Gun Boat No. 38	Portsmouth
1051	sch'r Ellen		Herald	Beaufort
1052	brig Duke of York		Gen. Armstrong	burnt
1053	sloop George		do.	do.
1054	brig Swift		do.	made a cartel
1055	brig Defiance		do.	burnt
1056	brig Friendship		do.	do.
1057	brig Stag		do.	do.
1058	ship Dorcas		do.	sunk
1059	sloop Henrietta		do.	Egg Harbor
1060	ship Berry Castle	6	Yankee	ransomed
1061	sch'r Linnet		Snap Dragon	Newbern
1062	sch'r James		do.	burnt
1063-1068	six vessels		Prim. Neufchateau	France
1069	tender*	120	N. London mil.	New-London
1070	ship Melville*	1450	Fort Niagara	blown up
1071	brig—		Rambler	ransomed
1072-1073	brig & schooner		brig Rattlesnake	sunk
1074	brig Fortitude		Surprize	Union
1075	sch'r Geo. Canning		Gen. Armstrong	Thomastown
1076	ship Pizarro		Midas	Savannah
1077	—Espiranza		do.	do.
1078	brig Elsinore		do.	do.
1079-1082	four vessels		Harrison	ransomed
1083	schooner—		do.	Amelia
1084	brig Betsey		York	lost on
1085	ship Alfred		Harpey	Wilmington
1086	ship Antonio		do.	do.
1087-1088	two brigs		do.	burnt
1089	sch'r Henry		Saratoga	New Bedford
1090	packet Elizabeth*	141	Harpey	ransomed
1091	ship Hero		Ida	Hyannis
1092	Conn's of Hercourt	690	Sabine	Wilmington
1093	packet Landralle*	433	Syren	New York
1094-1095	two vessels		do.	destroyed
1096-1109	fourteen vessels		Gov. Tompkins	burnt
1110	brig Betsey & Mary		Kemp	burnt

1111	ship Calypso			Kemp	given up
1112	brig Caledonia			do.	ransomed
1113	br. New Frederick			do.	do.
1114	schr. Contract			Roger	Wilmington
1115	transport Doris*	4	55	Grampus	Marblehead
1116	ship Hoppet			Saucy Jack	Savannah
1117	brig Eliza			do.	do.
1118-1119	two ships			brig Syren†	burnt
1120	barge*			Stonington Militi	Stonington
1121	schooner			a barge	do.
1122	ship James			Portsmouth	Portsmouth
1123	schr. Mary			Shark	New Orleans
1124	brig Hunter	10	20	corvette Adams†	sunk
1125	brig Mary			do.	do
1126	schr. Favorite			do.	do
1127	ship Paris			do.	do
1128	schr. Maria			do.	do
1129	brig Wirman			Yankee	Myannis
1130	cutter Wasp			Rattlesnake	burnt
1131	brig Dover			do.	do
1132	brig Pickle			Pike	do
1133	schooner			do	made a car
1134	sch. Industrious Bee			do	burnt
1135	schr. Venus			do	do
1136	schr. Lord Nelson			do	do
1137	schr. Hope			do	do
1138	schr. Jane		250	do	made a cartel
1139	brig Orient			do	sunk
1140	brig John			do	burnt
1141	br. Kingston Packet			Fox	Portland
1142-1143	two vessels			Herald	Ocracoke
1144	shi. Sam Cummings			Pike	wrecked
1145	ship Five Sisters			Dash	ransomed
1146	Barque Neptune			sloop Wasp†	destroyed
1147	brig William			do	do
1148	brig Pallas	2		do	do
1149	galliot Henrietta			do	made a cartel
1150	ship Orange Borer		8	do	destroyed
1151	brig Regulator			do	do
1152	schr. Jenny			do	do
1153	sloop Reindeer*	21	118	do	burnt
1154	schooner			Leach	ransomed
1155	brig			Hero	Newbern
1156	brig Mars			David Porter	Boston
1157	brig Cornwallis			do	made a cartel
1158	ship Vester	6		do	Boston
1159	brig Horatia			do	ransomed
1160	ship Liddle			Amelia	made a cartel
1161	ship Jesse			do	burnt
1162	transport Mink*			ship Lawrence†	Erie
1163	trans. Perseverance*			do.	destroyed.
1164	schr. Nancy*	3	20	do	do
1165	trans. Endeavor*			Surprise	do

1394	brig Gen. Maitland			Dash	Portsmouth
1395	sloop Mary			do.	made a cartel
1396	schr.—			Fame	Thomastown
1397	schr. Peggy			Caroline	made a cartel
1398	sloop Eliza			do.	sunk
1399	schr. Mariner			do.	made a cartel
1400	brig Stephen	14	30	do.	do.
1401	sloop Trinidad			<i>Jonquilla</i>	burnt
1402	brig Equity			Orlando	Boston
1403	br. Lord Wellington			<i>Diamond</i>	given up
1404	brig Margaret			Young Wasp	Philadelphia
1405	ship Hero	14	27	Iuo	Boston
1406	brig Coliers			Amelia	burnt
1407	schr. Nancy			do.	ransomed
1408	brig Harmony			do.	made a cartel
1409	trans. Elizabeth*		30	do.	burnt
1410	schr. Neptune	8	18	do.	ransomed
1411	ketch Caroline		10	do.	do.
1412	brig Susannah		21	do.	made a cartel
1413	schr. Mary	16	22	do.	Philadelphia
1414	brig Pallas	8	21	do.	do.
1415	ship Gen. Wellesley	8	36	Yankee	wrecked
1416	brig—			Paul Jones	Portsmouth
1417	Cutter Eliza		106	Lawrence	made a cartel
1418	brig Good Intent			do.	burnt
1419	Cutter Dart			do.	do.
1420	brig Christian			do.	do.
1421	schr. Atalanta			do.	do.
1422	br. Lord Wellington			Expedition	do.
1423	ketch Expedition			do.	wrecked
1424	schr. Gold Finder			Young Wasp	Elizabeth City
1425	transport*	250		Cadet & S. Jack	wrecked
1426	sloop Gov. Hodgdon			Dash	given up,
1427	brig Only Son	4	10	do.	do.
1428	tender*	1	36	Barge†	Charleston
1429	transport*			N. Orleans militia	burnt
1430	ship Jane			Harpey	do.
1431	brig Wm. Neilson			do.	made a cartel
1432	schr. Nine Sisters			do.	burnt
1433	brig Louisa			do.	ransomed
1434	ship Wm. & Alfred			do.	do.
1435	transport Jane*			do.	made a cartel
1436	brig Courtney			Yankee	ransomed
1437	ship St Andrew	8		do.	do.
1438	brig Speculator			do.	made a cartel
1439	brig Patriot			Brutus	Charleston
1440	brig Dantzic			Paul Jones	Machias
1441	tender*	3	20	Virginia militia	Norfolk
1442	transport Cyrus*	4	12	L. N. Orleans†	burnt
1443--1449	seven transports*	12	118	3 Launches†	Lake Borgne
1450	brig Peter			Lawrence	Beaufort
1451	brig John			Perry	Baltimore
1452	brig Nancy			do.	made a cartel

1453	schr.—			Warrior	wrecked
1454	ship William			Charles Stewart	Bath
1455	brig—			Harrison	ransomed
1456	schr—			do.	do
1457	ship Mary	6		Little George	Marblehead
1458	tender schr. Brent*	2	14	Boats	Charleston
1459	brig—			Kemp	Oeracoke
1460	sloop Enterprize			Whig	made a cartel
1461	brig Brunswick			do.	burnt
1462	schr. Britannia			do.	do.
1463	brig Race Horse			do.	do.
1464	schr. Mary			Surprise	do.
1465	schr. Good Intent			do.	do.
1466	schr. Nancy			do.	do.
1467	schr. Hazard			do.	do.
1468	schr. Sea Flower			do.	do.
1469	schr. Lucy Ann			do.	made a cartel
1470	brig Forth			do.	burnt
1471	ship Star	8	26	do.	Baltimore
1472-1473	two vessels			Roger	burnt
1474	ship—			Ranger	do.
1475	brig Athill	8		Lawrence	France
1476	schr. George			David Porter	made a cartel
1477	brig William			Lawrence	Beaufort
1478	brig—			Champlain	Portsmouth
1479	brig Susanna			Sine qua non	do.
1480	brig Flying Fish			David Porter	New Bedford
1481	ship Corona	8		Chasseur	Wilmington
1482	pack Lady Pelham*	10	40	Kemp	do.
1483	brig Sarah			Warrior	sunk
1484	brig Ly Troubridge	8		Ino	burnt
1485	ship Mary & Susan			Chasseur	Savannah
1486	schr Arrow			America	Salem
1487	sloop St. Lawrence*	14	85	Chasseur	made a cartel
1488	ship Adventure			do.	Charleston
1489	schr. Robert			America	destroyed
1490	sloop Jubilee			do.	do.
1491	schr Hope			do.	Salem
1492	ship Emulation			Syren	Gracioso
1493	schr.—			Macdonough	burnt
1494	schr. Ceres			Reindeer	do.
1495	schr. William			do.	do.
1496	sloop Unity			do.	made a cartel
1497	brig Daphne	2		do.	ransomed
1498	br. Crown Prince			Portsmouth	Sedgwick
1499	transport Juno*			do.	made a cartel
1500	brig Ocean			do.	burnt
1501	brig Langton			do.	ransomed
1502	brig Adeona			America	Salem
1503	schr Sultan			Morgiana	Wilmington
1504	brig Sarah			Warrior	burnt
1505	brig Legal Tender			David Porter	Machias
1506	brig—			Prin. Neufchattel	sunk

1285	brig Prudence			Chasseur	burnt
1286	sloop Favorite			do.	do.
1287	brig Cornwallis	100		do.	made a cartel
1288	brig Alert			do.	burnt
1289	brig Harmony	43		do.	made a cartel
1290	ship Carlbury			do.	Baltimore
1291	brig Seaflower	4	16	ship Peacock†	destroyed
1292	brig Stranger	8	20	do.	do.
1293	sloop Fortitude			do.	do.
1294	brig Venus			do.	do.
1295	brig Diana	6	20	do.	made a cartel
1296	sloop Leith Packet			do.	destroyed
1297	br. William & Ann	10	40	do.	do.
1298	brig Peggy & Jane			do.	do.
1299	barque William			do.	do.
1300	ship Sir Ed. Pellew	4	20	do.	made a cartel
1301	brig Bellona		11	do.	destroyed
1302	brig Triton		10	do.	do.
1303	brig Duck		14	do.	do.
1304	ship Mary		15	do.	do.
1305	pr. thinks I to myself	2	20	Dash	Portland
1306	sch'r Britannia		19	Harpy	burnt
1307	brig Halifax Packet		40	do.	Portsmouth
1308	brig Harvest			York	do.
1309	sch'r Prince Regent			Dash	Portland
1310	briva. Retaliation	5	20	Two Friends	Barnstable
1311	brig Commerce			Chasseur	Charleston
1312	sloop Farmer			Mammouth	sunk
1313	brig Britannia			do.	burnt
1314	sch'r Two Brothers	50		do.	made a cartel
1315	brig Ann Eliza			do.	burnt
1316	brig Uniza			do.	do.
1317	brig Ansley			do.	scuttled
1318	brig Sarah			do.	burnt
1319	brig Sir H. Popham			do.	do.
1320	sch'r Rapid			do.	do.
1321	ship Champion		60	do.	made a cartel
1322-1323	two vessels			do.	destroyed
1324	sch'r Thomas		40	do.	made a cartel
1325	sch'r Good Intent		48	do.	do.
1326	brig Joseph		162	do.	made a cartel
1327	brig Eliza			do.	given up
1328	sch'r—			C. House barge	Camden
1329	brig Atalanta			sloop Wasp†	Savannah
1330	brig Europa	10	22	Petapso	Wilmington
1331	brig Canada	10		Lawrence	do.
1332	sch'r Fox*	2	26	by her own crew	Newbern
1333	brig William			Chasseur	do.
1334	brig Lucie		7	sloop Wasp†	burnt
1335	brig Bon Accord		7	do.	sunk
1336	transport Mary*	2	10	do.	burnt
1337	brig Three Brothers		7	do.	do.
1338	brig Bacchus	2	11	do.	do.

1339	ship Ann Dorothy		Saratoga	Boston
1340	brig Hiram		David Porter	ransomed
1341	brig Nancy		Scourge	New York
1342	ship Lord Hood		do.	burnt
1343	brig Belfield		do.	do.
1344	brig Susan & James		Fox	do.
1345	sch'r Retrieve		do.	do.
1346	brig Concord		do.	made a cartel
1347	brig Cossac		Surprise	Boston
1348	sch'r Pink		Grand Turk	sunk
1349	brig Brothers		do.	do.
1350	brig Belgrade	50	do.	made a cartel
1351	brig Robert Stewart		do.	burnt
1352	sch'r Commerce		do.	do.
1353	sch'r Mary		Surprise	sunk
1354	sch'r Bird		Grand Turk	Salem
1355	trans. ship Ocean		Gen. Putnam	do.
1356	sch'r Georgiana		Grand Turk	do.
1357	sloop—		Scorpion	do.
1358	sch'r—		do.	sunk
1359	sch'r Eugene		Midas	do.
1360	sch'r Stringer		do.	do.
1361	sch'r Betsey & Jane		Cadet	Thomastown
1362	brig—		Jonquille	ransomed
1363	sloop—		Saucy Jack	do.
1364	sch'r Mary		do.	do.
1365	sch Kingston Packet		do.	made a tender
1366	sloop Cyrus		Packet tender	burnt
1367	sloop Jane		Saucy Jack	made a cartel
1368	ship Amelia	1240	do.	burnt
1369	sch'r Weasel		do.	St. Mary's
1370	sch'r Jane		do.	Savannah
1371	brig Louisa		Macedonian	burnt
1372	brig Britannia		do.	do.
1373	ship Sir Ed. Pellew	219	do.	sunk
1374	sch'r Mariner	22	do.	made a cartel
1375	sch'r—		Resolution	Charleston
1376	brig S. B.	212	Kemp	Charleston
1377	ship Rosabell	1635	do.	do.
1378	brig Portsea	826	do.	do.
1379	ship Princess	214	do.	do.
1380	sch'r—		Young Wasp	Ocracoke
1381	sch'r Hazard		Surprise	burnt
1382-1383	two vessels		do.	made a cartel
1384	sch'r Mary		do.	burnt
1385	brig Courtney		Yankee	Fairhaven
1386	sch's Polly		Dash	Boston
1387	sch'r swift		Expedition	Machias
1388	ship Amiable		Roger	Wilmington
1389	sch'r—		Hero	Beaufort
1390	transport ship*		Fort Bowyer	Mobile
1391	sch'r Mary Ann		Cadet	Thomastown
1392	sch'r St. John		Jonquilla	ransomed
1393	sch'r—		do.	made a cartel

1507	ship Antigua			Fox	Portsmouth
1508	ship Limerick			Morgiana	New York
1509	brig Helen			do.	do.
1510	brig Plutus			Young Wasp	given up
1511	ship Mary Ann			do.	do
1512	brig Lord Duncan			Morgiana	burnt
1513	brig Cossac	6		do.	made a cartel
1514	sch'r Resolution			Kemp	Beaufort
1515	sloop—			do.	given up
1516	ship Otway	3		do.	ransomed
1517	brig—	18	42	do.	do
1518	brig Alexander			Leo	wrecked
1519	brig Eagle			Lawrence	do
1520	brig Susannah			F. Constitution	New York
1521	brig Lord Nelson			do.	burnt
1522	ship Arabella			Rambler	Macao
1523	brig Madeira			do.	given up
1524	ship Anne	4	25	Zebec Ultor	New York
1525	sch'r. Perseverance			do.	burnt
1526	brig John			do.	do.
1527	brig Maria Arabella			do.	do.
1528	sloop Twins			do.	do.
1529	sloop L'Esperance			do.	do.
1530	sloop Constitution			do.	do.
1531	brig Mohawk			do.	Baltimore
1532	ship—			Avon	ransomed
1533	ship—			Jacob Jones	do.
1534	frigate Cyane	34	17	rig Constitution	New York
1535	brig Baltic			Grand Turk	wrecked
1536	sloop Busy			America	burnt
1537	sch'r Black Joke			do.	do.
1538	sloop Enterprise			do.	made a cartel
1539	pack. ship Elizabeth	8	31	do.	do.
1540	sch'r. Patriot			Rev. Cut Jeffer	Norfolk
1541	pilot Boat			Custom House	Eastport
1542	sch'r Ontario			N Y. Militia	St. Vincent
1543	ship William			brig Vixen	New York
1544	ship Hero			Teazer	Machias
1545-1546	two sch'rs			Buskin	Salem
1547	brig—			Paul Jones	Norfolk
1548	brig Resolution			Nancy	Portland
1549	brig Ranger	10	20	Matilda	Philadelphia
1550	sch'r Peggy			Wiley Reynard	Portland
1551	ship Continentia			Wasp	Charleston
1552	ship King George			Essex	Boston
1553	sch'r Two Brothers			United we stand	Newport
1554	ship Commerce			Decatur	Portland
1555	ship Diana			do.	do.
1556	brig Concord			Marengo	New York
1557	ship—			Industry	Marblehead
1558	ship Ned	10	16	Revenge	Salem
1559	sloop Brothers			Saucy Jack	Charleston
1560	sch'r Sally			Gen Washington	do.



1561	brig John	10 18	Benj. Franklin	Charleston
1562	schr. Robin		Revenge	Portland
1563	sloop Caroline		Retaliation	New-York
1564	brig Ann		Growler	Salem
1565	ship Mentor		Jack's Favorite	New-Orleans
1566	brig Antrim		do	do.
1567	brig Emma		Holkar	Newport
1568	schr. Belsey		12 Am. Prisoners	Campeachy
1569	sh. Ralph Nickerson		America	Salem
1570	sloop—		Ontario	Sackett's Harb.
1571	sloop Earl Camden		Yankee	France
1572	brig Elizabeth	2 8	do.	do
1573	brig Watson	3 15	do.	do
1574	brig Mariner		do.	do
1575	schr.—		Sauey Jack	given up
1576	ship Grotius		Frolic	Salem
1577	brig Jane Gordon	10 20	do.	burnt
1578	schr. Hunter		do.	made a cartel
1579	schr. Susan		do.	do
1580	schr. Vigilant		do.	ransomed
1581	brig Maria		Frig. President†	France
1582	schr. Falcon		do.	do.
1583	brig Jane		Cordelia	burnt
1584	sloop Little Phoenix		do.	do.
1585	sloop Fame		do.	do.
1586	sloop Chance		do.	do.
1587	schr. Deep Nine		do.	made a cartel
1588	sloop Watt		do.	do.
1589	slo Charming Eliza		do.	sunk
1590	sloop Jamaica		do.	do.
1591	schr. Phoenix		do.	made a cartel
1592	brig Marquis		Yankee	New-Bedford
1593	brig Concord		Rattlesnake	Norway
1594	schr —		Frigate Essex†	sunk
1595	Tenders		Virginia militia	Norfolk
1596	ship Barclay		F Essex†	Peru
1597	ship Ashum		T. B. Yankee	France
1598	brig Trident		Scourge	burnt
1599	brig Haddock		do.	do.
1600	schr. Columbia		Portsmouth	Newburyport
1601	brig Fire Fly		Sabine	Wilmington
1602	brig Mary		Argo	burnt
1603	schr. Eliza		Portsmouth	Machias
1604	brig Argo		Surprise	Portland
1605	brig—		Grampus	do.
1606	trans. Lord Keith	4	Mars	Newport
1607	schr. Elizabeth		Globe	burnt
1608	ship Pelham		do.	do.
1609	brig Penguin	22 182	Hornett†	sunk
1610	ship Union		Peacock†	burnt
1611	ship Venus		do.	made a cartel
1612	ship Brio		do.	burnt
1613	brig Nautilus	14 130	do.	given up

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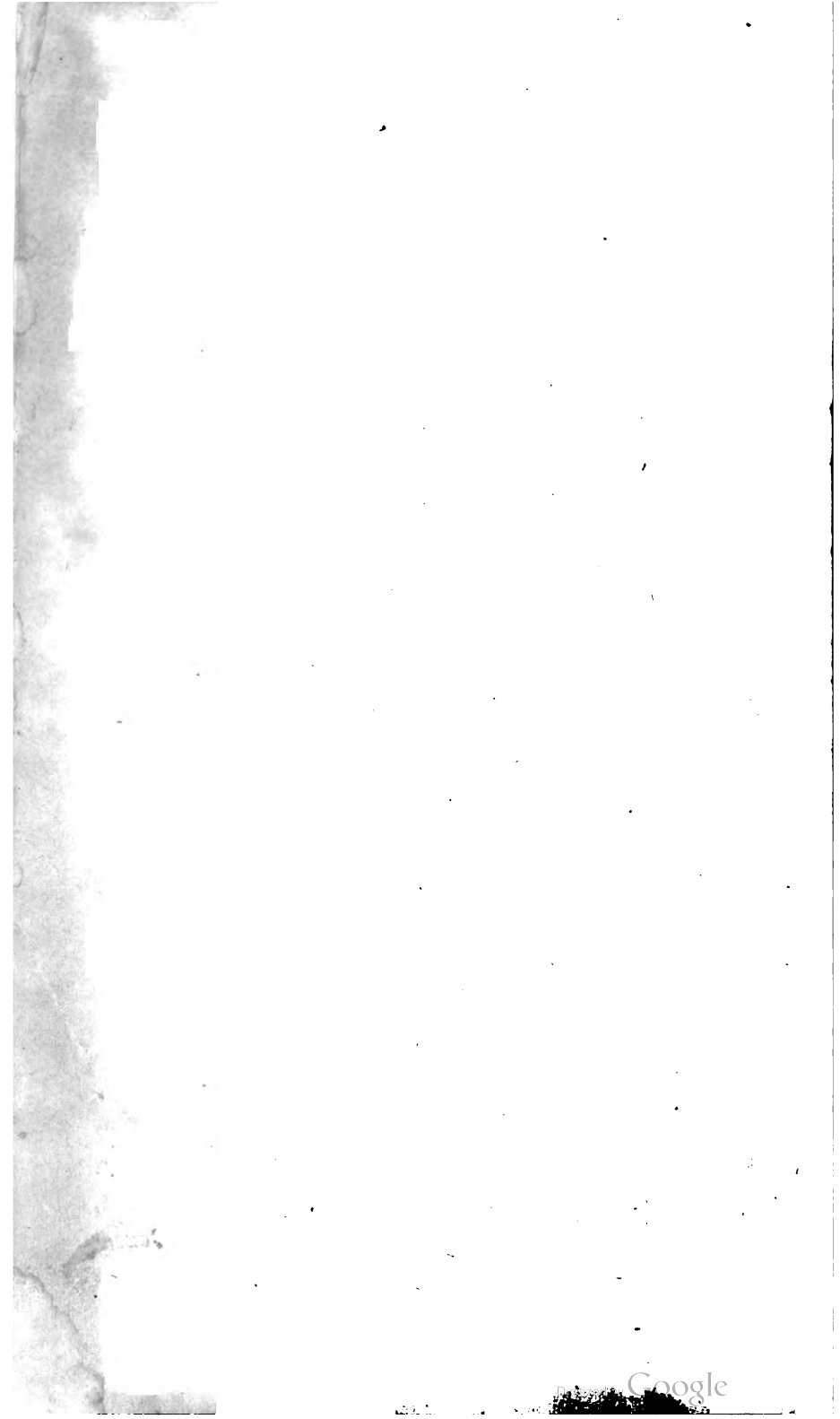
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